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MINUTES

OF THE

PROVINCIAL COUNCII

OF

PENNSYLVANIA,

FROM THE ORGANIZATION TO THE TERMINATION OF THE PROPRIETARY GOVERNMENT.

PUBLISHED BY THE STATE.

VOL. VIII.

CONTAINING THE PROCEEDINGS OF COUNCIL FROM JANUARY 13TH, 1757, TO 4TH OF OCTOBER, 1762, BOTH DAYS INCLUDED.

HARRISBURG:
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MINUTES

OF THE

PROVINCIAL COUNCIL OF PENNSYLVANIA.

At a Council held at Philadelphia, Friday the 13th January, 1757.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

William Till, Robert Strettell, Benjamin Shoemaker, Joseph Turner, Richard Peters, Benjamin Chew, John Mifflin, } Esquires.

The Minutes of the preceding Councils were read and approved.

The Committee reported to the Council, that they had inspected the Council Books and the Votes and Proceedings of the House, and examined every thing therein relating to Impeachments, and had drawn up an Answer to the Assembly's Message, which was submitted, and after some Amendments, approved, and the Secretary was directed to carry it to the House; the same was ordered to be entered, as follows:

"Gentlemen:

"All I intended by my Last Message to you was, to shew you I had paid great regard to the Remonstrance made to me by the late Assembly of this Province against Mr. Moore, and had taken the proper Steps to enquire into the Truth of the many Petitions exhibited against him; and further, to acquit myself from any Charge of Delay on that Occasion.

"I did not take upon me to require of you the Causes of his being arrested and Imprisoned, nor do I think it now becomes me to enquire whether the Address you mentioned contains libellous Matter against the Late Assembly, or if it does, whether you, who (as you are pleased to say), in the Character of the Late Assembly, presented the Address against Mr. Moore, can, in your present capacity, as a new Assembly, take Notice of and punish the Author

of it. You no doubt will Judge how far your legal Power extends, and take care to confine Yourselves within the Limits by which it is circumscribed. You ought, and I am perswaded will, Support your own dignity and Legal Rights, in which you will always find me ready, if necessary, to join and Act in Concert with you, so far as I have Power to do it.

"I cannot help observing that from Several parts of your Last Message you seem apprehensive that in the Steps taken by me to bring the Complaints against Mr. Moore to a full hearing, I have attempted to Establish a new Judicature, unknown to the Constitution, and that a Concern for my Honour obliged you to inform me that all Hearings and Trials before the Council, where they assume a Voice in the Judical Determination, is an high Infringement of the Rights of the People, a Violation of the Charter of the Province, and an innovation in the Constitution. I am much obliged to you, Gentlemen, for the Concern You express for my Honour, but I cannot conceive what could give rise to your Apprehensions. A Concern for my own Honour and that of the Council lays me under the Necessity of telling you that your fears had no just Foundation, that in no one instance since my Accession to this Government I have ever, by myself, or in conjunction with my Council, sat as a Court of Judicature, or given any Judicial Determination.

"On Considering the Matters complained of in the Late Assembly's Address against Mr. Moore, I could not be so absurd as to Suppose that I had a Judicial Power to arraign, try, condemn, and punish him, for the offences therein charged upon him. Indeed, the only particular charge alledged against him was that of Extortion, an Offence very Criminal in its Nature, and for which (if Guilty) he ought to be severely punished, but I well knew that a Positive Act of Assembly of this Province annexed a penalty to that Offence, and directed the Mode of Trial therein, and that without assuming a Power of Dispensing with Law, I could not sit in a judicial Capacity on his Trial. However, as the Office in which it is said he had misbehaved himself was held under this Government, I thought it a Duty I owed to Justice and to the Publick to Satisfy myself of his Guilt or innocence, that if he could not clearly acquit himself from the Charges I might, by depriving him of his Commission, at Least put it out of his Power to commit the like Offences for the Future. To this end only I appointed Monday last for the Hearing, and desired the Assistance of my Council. If, in this, I have violated the Charter, and been guilty of an Innovation in the Constitution, and erected a New Court of Justice, I leave you and the World to Judge.

"I have very carefully considered, as well as the Shortness of Time would admit, that Part of your Message wherein you assert that the Power of impeaching is incontestably in the Assembly by the Charter of Privileges and an established Law of this Province, and

the Power of Determining such impeachments in the Governor alone, and I do assure that if I could be as fully convinced as you seem to be that I am Legally vested with so Supreme a Power, I would not hesitate one moment to take upon me the exercise of it. Give me Leave to observe to you, Gentlemen, that in the Establishment of so transcendent a Power in the Single person of a Governor of this Province, so widely differing in its present Frame and Constitution from that of our Mother Country, especially in the Branches of the Legislative Body, the Lives, Liberties, and Properties of every Freeman in it are deeply interested in it. I agree with you that Impeachments are Warranted by the Usage of Parliament and Customs of our Mother Country, but you will Please further to Consider that the Parliament of England Consists of Three different Bodies and Estates, namely, the King, Lords, and Commons, each of which have, inherent in them, distinct Prerogatives, Privileges, Powers, and Jurisdictions, which I conceive they do not derive under any Positive Laws made for that Purpose, but such their Rights are originally founded in the Nature of their institution, and the Principles of an English Government. The Commons have an undoubted Right to impeach Criminals for such high Crimes and Misdemeanors as they cannot be called to an Account for in the ordinary and established Courts of Justice; and it is as undoubtedly the Right of the House of Lords only to hear, try, and Pass Sentence of Death, or otherwise, as they see occasion, against such Offenders. The Legislature here consists of two Parts only, the King's Representative, and the representatives of the People, without any middle State, Resembling the House of Lords, between them; and neither of the Branches of the Legislature of this Province have any other Powers or Jurisdictions but those which are expressly delegated and granted them. Admitting, therefore, for Argument's Sake, the Words of the Charter and Law of the Province you refer to in their full Latitude and Extent, which are, that the Assembly shall have power to chuse a Speaker, and other their Officers, and shall be Judges of the Qualifications and Elections of their own Members, Sit upon their own Adjournments, appoint Committees, prepare Bills in order to pass into Laws, impeach Criminals, and redress Grievances, and shall have all other Powers and Privileges of an Assembly, according to the Rights of the Freeborn Subjects of England, and as is usual in any of the King's Plantations in America; yet it does not follow that the Governor of the Province has the Power of hearing, trying, and passing Sentence on such impeachments. No such Jurisdiction is given him by the Words of the Charter, or elsewhere, that I can find, on the Strictest Scrutiny; Nor does it seem to me, for the Security of the Lives and Liberties of the Good People of this Province, that their Governor alone, or any one Man Living, should be invested with so high a Trust. Power has in it great Allurements, and when offered is seldom refused, but I have the Pleasure to find, that a

preceding Governor of this Province had Virtue enough to decline acting as a Judge in a case of Impeachment under the present Charter.

"Be pleased to remember, Gentlemen, that the Freedom and Happiness of an Englishman consists in a great Measure, in the most inestimable Privilege of being tried by his Equals in every case that affects his Life, Liberty, Character, or Fortune; and that to deprive him of that Right against Law, or without Clear Law, is the Highest injury that can possibly be done him, and that whoever, in such a Case, under an English Constitution, takes away the Life of a Subject, is answerable for his Blood, and Guilty of Murder. These considerations, among others, have such Weight with me, that I dare not accept of the Power you offer me, as the sole Judge in impeachments, till it is demonstrated to me that the Law has invested me with it; when that is done, I will chearfully comply with what my Duty requires of me; but till then you will excuse me if I decline any such Jurisdiction, least I may justly subject myself to the Charge of Establising a New Judicature, usurping an illegal Power, infringing the Liberties of the People, and in short, of Subverting the Constitution.

"Permit me now to remind, you Gentlemen, that the Defence and Protection of this Province greatly depends on your attending, without Loss of Time, to the Several Weighty Matters recommended, recommended to you in my Messages of the Seventeenth of October, and Third of this Instant; and therefore, I again most earnestly entreat you that every Consideration of less moment and Publick Concern, may in your deliberations give place to them, and that you will defer all other Matters to more Leisure and Convenient Season.

"WILLIAM DENNY.

"January 13th, 1758."

At a Council held at Philadelphia, Thursday, the 18th January, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Richard Peters, Esquire.

Yesterday Two Members waited on the Governor with the following Message, which was read and ordered to be entered:

A Message to the Governor from the Assembly.

"May it Please your Honour:

"We cannot help expressing our Surprize that you should be at a Loss to conceive what could give rise to our apprehensions that

you had attempted to establish a New Court of Judicature, unknown to the Constitution. For the cause we think we could safely appeal to your Honour's Heart, but we know we can to your expressions. In your Message, of the Ninth instant, you expressly inform us that common Justice required that no man should be condemned unheard in any Matter that affected his Life, Fortune, or Character, and therefore declared your design of giving William Moore an Opportunity of making his Defence; That from the moment you received the Address of the late Assembly for his Removal, you were determined on a full and close inquiry into the Charges against him, to make a Publick Example of him as far as your Power extended; And that to that End you had Appointed the same Day for Hearing all the Proofs in the Case, after due Notice given to the Parties and their Witnesses, and accordingly attended with your Council in the Council Chamber. Certainly we should be incredulous indeed and very defective in our Apprehensions, did not these Positive Declarations prevail on us to believe you did attempt to set up a New Judicature; and had not our Sergeant-at-Arms for a very high Misdemeanor arrested the person intended to be tried, that attempt had been fully executed. If the issuing process to convene the parties before your Honour and, your Council, the giving of orders for the Summoning of Witnesses by the Sheriff and his Deputies, in order to hear all the Proofs in the Case, & thereupon to acquit or condemn the person charged, and a Meeting at the Council Chamber for that Purpose, are not evident Proofs of such Attempt, we leave the impartial to determine.

"These are what your Honour calls proper Steps to enquire into the Truth of the many Petitions against William Moore, though you are pleased to declare that you could not be so absurd as to suppose you had a Judicial Power to arraign, Try, Condemn, and Punish. If you did not intend to arraign, why was the party charged to come before your Honour and Council? If not to try or judicially determine, where was the use of Witnesses? If not to condemn or acquit, what could you mean by the Intimation that no man should be condemned unheard? If not to Punish, how could you make a publick Example of him? or if no Judicial Determination was to be had thereon, what could be the design of hearing the Proofs, and giving the Party an Opportunity of making his Defence?

"As to the propriety of these Steps, we beg leave to remark that they are not supported by our Charters, or the Laws of the Constitution, nor by any Precedent in our Mother Country, and have a Tendency to institute an Authority never attempted by our Gracious Sovereign, or any of his Councils; Steps that may be of Dangerous consequence to the Lives, Liberties and Properties of the People; and should your Honour and Council Pursue them, we Know

not where they may end, For if you and your Council may, without the Shadow of Law, institute a full and close enquiry, at which you are to hear all the Proofs, and Examine the Witnesses upon Oath, give the Party charged an opportunity of making his Defence, and of being acquitted or Condemned, in this case, you may with the same Kind of reason and Degree of Law do it in every other, and at Last determine not only Matters which affect the Properties, but the Liberties and Lives of the Subject, and that without the Security which ever must attend an antecedent Trial before, and Impeachment by the delegates of the People. Wherever a Person in a judicial Capacity breaks over the Verge and Confines of Law, he may rove in the field of Oppression and never stop, his Power becomes Transcendent and unconfined indeed; Your Honour will, therefore, excuse us for Thinking that in the Establishment of a Power so unlimited, the Lives, Liberties and Properties of the People are very intimately concerned, and may be more essentially affected than where they cannot be tried by the Impeachment of their Representatives.

"We have again considered, and still persist in our request, that you would either remove William Moore from his Publick Offices, or permit us to impeach him of the many heinous Misdemeanors charged against him, some of which are not cognizable in the ordinary Courts of Justice; We have no doubt respecting our Right to impeach, nor are we Obliged to your Honour for admitting it, For argument Sake only. The Charter of Privileges and a Law of the Province are declarative of it in too explicit Terms to admit of the least doubt with the meanest and most prejudiced capacity, and we still are of Opinion, that your Honour ought to Determine on such an Impeachment; By the Royal Grant the Governor and Assembly here are Constituted the Two Branches of the Legislative Authority, the one holding his Power under the Crown, the other deriving their Authority from the People, and a Negative on our Laws is reserved in the Crown, each of which we agree have inherent in them, distinct Prerogatives, Privileges, Powers, and Jurisdictions, founded in the Nature of their Institution and the Principles of an English Government; and that to the Powers of each are annexed certain Requisites not expressly granted by the Royal Charter, which are to be exerted occasionally for the necessary Support and exercise of their respective Jurisdictions for the Peace and Safety of the Province. The Governor here may be deemed to Supply a middle state, and from the Nature of his Institution must be invested with these Powers and Requisites; and we apprehend ought, and was intended, to Supply the Place of a House of Lords in an Inferior Degree, with respect to Hearing and Determining on Impeachments. This cannot be denied, consistent with the Freedom and Principles of an English Government, where the Right of the Commons to redress Grievances is one of the most essential Checks in the Constitution. Without this Power in the Governor, there must be a manifest

Failure of Justice. The Proprietary Officers and others may be Guilty of the most Atrocious Offences, not cognizable in the ordinary Courts of Justice, and the Government will be destitute of the Means of punishing them, Which would be such a defect in our Constitution that common Sense forbids the Supposition. Of this opinion was a former Assembly of this Province on the like occasion, where they assert that the Power of impeaching Criminals is incident to the Legislative Authority, for the Common Safety, and that the Ends of Government cannot be answered without it; And in pursuance of this opinion they resolved, N. C. D.:

"'First. That the Present Constitution of this Government, which vests the Legislative Authority in the Governor and Representatives of the People of this Province, does well Warrant us to impeach, and the Governor to Judge of such Impeachments.

"'Secondly. That the Council having, by our Constitution, no share in the Legislative Authority, ought not to sit with the Governor Judicially upon such Impeachments.'

"But your Honour is pleased to say that no such Jurisdiction is given you by the Charter, or elsewhere, that you can find. We agree that it is not expressly, but contend that it is implicity granted to you as the Middle State of our Legislature, and founded in the very Nature of your Institution. If you have no other Powers or Jurisdiction but those which are expressly delegated and granted, by Virtue of what express Authority or Power of altering and amending Bills passed by the Assembly, and of putting an absolute Negative on them, with other Powers and Rights belonging to the House of Lords alone, and no more expressly granted than the Power of Judging on Impeachments? It cannot be by Virtue of your Representation of the Crown, because His Majesty never exercised such Powers; And therefore we Confess we cannot understand why you should be so fond of assuming the one and fearful of the other. We hope it cannot proceed from an inclination to screen Wicked Ministers from Justice, and to render ineffectual an essential and invaluable Power of the Constitution.

"We beg leave further to remark, that the Governor's assuming a Power to determine on the Impeachments of the Assembly cannot be attended with the Least Insecurity to the Lives and Liberties of the People; But on the Contrary, the Invaders of their Liberties and their Oppressors by this means will be brought to Justice, who otherwise would oppress on with Impunity, and the Distressed Subject be without Redress. Your Honour will remember that antecedent to any Impeachment before you, the Grand Inquest of the Province, The Representatives of the People, his Peers and Equals, must be made sensible of his Guilt. A Sheriff may be corrupted, a jury packed, a Court who hold their Commission during Pleasure may be influenced, but it unnatural to presume that the Representative Body of the People should be partial, corrupted, or do injus-

tice. Besides, your Honour has the Same Power which you are so fearful of assuming, whenever a Bill of Attainder or Disability is presented for your Approbation; and in that case the Lives, Liberties, and Properties of the People are as much in your Hands as in the case of Impeachments with this Difference only, that in the first you may Determine on the Report of the Assembly only, but in the Latter there must be a judicial and Solemn Hearing.

"We are sorry we cannot see the Virtue of refusing to determine on the Impeachment of the Assembly any more than that of instituting a New Court of Judicature without their Assent. The Instance you give us of a Preceding Governor's Virtue in declining to act as a Judge in a case of Impeachment must certainly arise from your not being acquainted with his Character. He was a Gentleman remarkable for being destitute of every Virtue, either Moral, Political, or religious. The Government was in a continual Ferment during his whole Administration; The Rights of the People in perpetual Jeopardy by his Arbitrary and unjust invasions. He was charged by the Assembly with being Guilty of Frequent and notorious excesses and Debaucheries, not fit to be rehearsed, and that his Behaviour was offensive to God Almighty, Dishonourable to the Queen, and Encouraging all manner of Wickedness, and upon their Complaint removed from his Government. Whence we are induced to believe that this Gentleman's declining to determine on impeachments did not proceed from any Disrelish he had to Power, or from his Virtues, either Publick or Private, but from a determined Resolution to protect a Favourite.

"Had your Honour, upon the Address of the Late Assembly, founded upon the most impartial Enquiry, paid that Regard to it, and the Examinations of many disinterested Witnesses laid before you, which we humbly conceive you ought to have done, and removed William Moore, this dispute about your Power to determine on Impeachments had not happened; But, may it please the Governor, when we perceive you are deaf to the Address of that Assembly, regardless of the Affidavits laid before you, instituting a New Court of Judicature for his Tryal, without the Assent of the Representatives of the People, and in the mean Time permitting him to exercise all the Powers of his Offices, and the means of his former oppression, to the great Terror and anxiety of the People, who continue to exhibit to this House fresh Complaints against him, We cannot be silent. We beg leave to say, it is usual with the Crown to remove wicked Ministers on the Address of the Commons; Sometimes when that Address is founded on rumour only, and often when on an Examination before the House. And a former worthy Governor of this Province, when he was about to Pass a Bill of Disability, required no other Satisfaction of the Guilt of the Person than what he collected from a Conference with a Committee of Assembly. It is well known, that the Complaints against this Gentleman are not

of a late Date only; your Honour is the Third Governor to whom the People have applied for redress against his Oppression, but as yet remain without relief.

"We, therefore, entreat Your Honour to Consider, that the Principle Powers of our Assemblies are those of making Laws, granting Aids to the Crown, and redressing the Grievances and Oppressions of the People. The first, you well know, is highly invaded and greatly diminished by Arbitrary Proprietary Instructions, now in your Possession, which you have declared you are bound to Obey. The Second has been greatly violated by the frequent and constant Amendments in our Money Bills, directing the Assemblies as to the manner, Measure, and Time of Granting Supplies; insomuch, that tho' they have not admitted such Amendments, yet they have often been necessitated, for the preservation of the Country, to Frame New Bills agreeable to them. And should your Honour persist in refusing to remove William Moore, on the Address of the late Assembly, and the earnest Solicitations of this, and will not exercise your Power of determining on the Articles of Impeachment we are ready to exhibit against him, the Third and last, that of redressing Grievances, will, in a great measure, be rendered ineffectual; A failure of Justice must ensue in the Government; Wicked Ministers and Majestrates may Oppress the Subject and Distress the Poor, with impunity; That important Check, in the Constitution, on the Actions of Wicked Officers, who hold their Commiss^ns^ during pleasure, will be wanting; The three only essential and important Branches of the Assembly's Authority will be manifestly violated; The whole Powers of the Constitution be vested in the Hands of the Governor, and our excellent mixt Frame of Government totally dissolved.

"Under these circumstances, we entreat your Honour would consider with what Spirit or Pleasure can the Assemblies of this Province give, or the People pay, their aids to the Crown. We are a faithful and Loyal People, Solicitous of assisting in the General Defence of America, as well as in that of our own Particular Province; we are willing and ready to grant Supplies, if our Governors would leave us in the Possession of anything worth Defending. Redress our Grievances, relieve our fellow-Subjects from Oppression and Slavery, restore the Constitution, and every thing your Honour can reasonably ask will chearfully be granted.

"Signed by order of the House.

"THOMAS LEECH, Speaker.

"January 17th, 1758."

Teedyuscung, Tapiscawung, Pamylachad, Onangintolany, or John, Teedyuscung's Son, attending without, were sent for into Council, and the Governor acquainted Teedyuscung that he ex-

pected to have seen him on Monday according to Appointment; but was glad to see him now, and ready to hear his Business.

Teedyuscung thanked the Governor, and spoke as follows:

"Brother:

"I wipe your eyes that you may see clear, and behold our Wives, children, and Grand Children, as long as the World endures."

A String.

"Brother:

"This is to remind the Governor of the Union of Hands, entered into first by the late Governor Morris at Easton, with the Ten Confederated Nations, their Uncles, the Six Nations, and this Government, which has been happily confirmed in the Treaties held since your Arrival. I don't doubt but you will still assist in preserving that Union, and continuing the mutual Affection and Friendship then engaged to one another."

A String.

"Brother:

"I now confirm the Union and good Harmony established between us, and assure you, I do it not only with my Mouth but my Heart, and with the greatest sincerity."

A String.

"Brother:

"We were told in one of your Speeches that you were rich, tho' the Indians were poor; and therefore, I entreat you to enable me to make the Fire that was kindled at Easton blaze up high, that it may be the better seen by all the Indians, and that they may be brought to join in this good Work, which will be attended with Expence, and this, as I have it not myself, must be provided by you."

A Belt of Eight Rows.

The Governor made answer as follows:

"Brother:

"I now in return wipe your Eyes, and assure you that I will affectionately remember your Wives and Children, and keep them in my mind to the latest Posterity. In Confirmation whereof, I give you this String."

A String.

"Brother:

"You may be assured I shall use my utmost Endeavours to establish the Peace so happily concluded at Easton, between the People of this Province, and their Brethren, the Indians."

A String.

"Brother:

"I am sensible we are richer than you, and therefore, I give you this Belt, promising that I will use my best Endeavours with the wise Men that are now sitting to enable you to make the greatest Advantage of the present happy Peace, and to bring as many more Indian Tribes as you can influence into the Peace."

A Belt.

The Governor, in way of Conversation, told Teedyuscung that it would be proper for him to make known what he proposed further to do, that he might know what Sums to ask of the Assembly. The King answered that this Belt now given should be sent to Allegheny as the last was. He does not intend to put it into his Pocket, but to send it far and wide, as he did the other; That he could not now say what Expences the Journey would cost.

The Governor, all being finished, wrote to the Commissioners as follows:

"Gentlemen: Teedyuscung, in coming on this Visit, has incurred Expences for himself and Company, with their Horses, which you will please to defray. The particulars are given to them by Mr. Edmonds, and I think the charge reasonable. You will, besides this, gratify him and his Company to their Satisfaction for their Trouble."

The Letter was given to Teedyuscung and he parted very well pleased.

Mr. Edmonds acquainted the Governor that the Law allowed an Indian but a half gill of Rum in Twelve Hours, except at Treaties; but when Teedyuscung gets Intelligence to Bethlehem, it is impossible to avoid giving him more, and desires to receive orders on this Head.

At a Council held at Philadelphia, Wednesday the 24th January, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

William Till,	Joseph Turner,	Esquires.
Lynford Lardner,	Richard Peters,	
Benjamin Chew,	John Mifflin,	

The Assembly having, hitherto, been employed in Examination of Witnesses against Mr. Moore, and Mr. Smith, the Provost, who are charged by them with abetting, promoting, and publishing a Libel against the late and present Assembly, and as they were in great Heats, and very intent on those Prosecutions, it afforded Time enough without Inconvenience to the Publick Business, to draw up a proper Reply to the assembly's long Answer of the

Seventeenth, and the Draught being now ready, it was examined, and after making some Alterations, agreed to as follows, and ordered to be entered:

A Message from the Governor to the Assembly.

"Gentlemen:

"I have taken into Consideration your last Message, not less remarkable for the great Freedom with which you are pleased to treat my character, than the Strangeness of the Doctrines contained in it, and the weak arguments brought to Support them. In my Message of the Thirteenth Instant, I flattered myself I had demonstrated to you and all the World, that your apprehensions of my having a design to establish a new Court of Judicature (in the Steps taken by me on the late Assembly's address to remove William Moore from his Publick Offices) were groundless and unjust, and I solemnly disclaimed any such Intention. But to my great astonishment, I find a considerable Part of your Message is taken up with trite Questions and Reasonings, tending to shew that I actually had such a Design; and you do not scruple to assert, that had not your Sergeant-at-arms, for a very high Misdemeanor, arrested the Person intended to be tried, that attempt had been fully executed. In this you take upon you to Charge me with a direct Falsehood.

"I should be unworthy, indeed, of the Commission I have the Honour to bear under his Majesty, tamely to suffer such an indignity, without thus publickly expressing my Detestation of the Charge, and the just Resentment with which an Honest Heart must necessarily be inspired against the Authours of it. Had any one offered a like affront to you, Gentlemen, we, no doubt, should have heard enough of Breach Privileges; but, for ought I know, you may claim a right of villfying and abusing your Governors, as one among the many boasted Powers and Privileges of the Constitution you have already discovered.

"The last Assembly, in their Address against William Moore, only desired that I would remove him from his Offices, on a supposition, I presume, that he was Guilty of the Crimes laid to his Charge. It is not easy to conceive you could think, Gentlemen, that I would take this Guilt upon hearsay, nor yet upon a number of ex Parte Depositions, taken in the absence of Mr. Moore, who, I know, was not heard in his Defence before the House, nor any of his Witnesses examined on his behalf. It was my Duty to give him and his accusers a full hearing, face to face. I appointed a Day for that purpose, and, from the whole Tenor of my Conduct in that affair, I am persuaded that no impartial Person can be induced to think I had any thing in View but a full Examination of Witnesses, to satisfy my own Conscience whether he was a fit Minister of Justice, and Worthy any Longer to enjoy the Commission he bore under this Government; without taking such Steps, I might

have been deemed arbitrary indeed. This is a Method that, since my arrival in this Government, I have taken, where complaints have been made to me against Justices of the Peace, one of whom I have actually removed in consequence of such Enquiry, and it is further supported by the Practice of Preceding Governors, to the great ease and Satisfaction of the People, who have repeatedly expressed their acknowledgements for the Trouble their Governors have taken, and the Justice done the Publick in such Cases. Resting, therefore, under this perswasion, and a Consciousness of the rectitude and Sincerity of my own Intentions, I shall take no further notice of the unprovoked abuse and ill-Treatment of me in the first part of your Long Message.

"It is very disagreeable to me, Gentlemen, that I am Laid under the necessity of saying so much. I can truly declare that I met you in Assembly determined to avoid, if possible, any Differences with you, and, notwithstanding the Ignominy with which you have attempted to load me, I still think myself indispensably obliged so far to suppress my just indignation as that it shall have no influence on my Publick Conduct with you, or interfere with what Duty I owe to his Majesty and the Good People he has been pleased to commit to my Charge.

"I have very closely attended to that part of your Message wherein you endeavour to manifest my Right, under the Charter and Laws of, the Province, to sit as a Court of Judicature on Impeachments, and am so far from changing my first Opinion that I am still more confirmed in my Judgment that such a Power would be usurped by me, and the Act Arbitrary in the highest degree. You agree with me that in the mother Country the House of Lords, which is the middle State between the King and the Commons, hath the sole inherent Power of trying impeachments, and that the Legislature of this Province consists of Two Branches. You then add that the Governor here may be deemed to supply the Place of a House of Lords in an inferior Degree, and contend that tho' the Power of trying Impeachments is not expressly, yet it is implicitely granted to the Governor of this Province, as a Middle state of your Legislature, and Founded in the Nature of your Institution.

"I must confess, Gentlemen, that your method of Reasoning on this Occasion is very Dark and mysterious; a middle state in a Legislature consisting of Two Estates only, or an intermediate Term between two that admit of no Third, is to me incomprehensible. Arguments founded on no better Proofs than what you may deem might be the intent of the Charter; forced constructions and strained implications of Powers meant to be granted will weigh but little with me in a case so important and interesting as this is to the Lives and Rights of his Majesty's Subjects. Nay, if the Proprietary Charter was ever so express on this Head, yet it might, perhaps, with great Reason, be questioned whether, under the Royal

Grant, the Proprietary could Subject Englishmen to this Mode of Trial before a single Person acting at once in the several Characters of a Judge and Jury, so very different from any Known to the British Constitution. At present, however, there is no occasion to go into the Discussion of this Point, as you acknowledge that neither by Charter or Law the Governor has such a Power expressly delegated to him.

"But you are pleased to say that you propose to vest your Governor with the Power of a House of Lords only in an inferior degree. This is a mode of expression as unintelligible to me as some of your former ones. The Power, Gentlemen, necessary to any Judicature, or publick Body as such, is indivisible in its Nature; it cannot be parcelled out into Parts, or if it could, I can hardly Look upon you as the Despensers of it. If a Governour could once persuade himself that it is necessary for the Safety and Peace of this Province that he should exercise the Power of a House of Lords in one case, he may in another, and if you consent to his exercising one Degree of that Power, he may think himself intitled to claim and exercise the Whole, and by this means may bring all Causes, both Civil and Criminal, before him in the Last instance, as is the case in the House of Lords, which is the Last and highest Court of Judicature in the Kingdom. Power, Gentlemen, once granted, is hardly ever to be regained; and should I depart so far from my Duty as to accept of the extraordinary Power you now press upon me, or could I think any Governor or single Man would be permitted by the British Legislature to enjoy to both the Powers of the Crown and of the House of Lords in these Colonies, you and your Posterity might perhaps long have reason to repent the Rashness of the Offer. Will it not, Gentlemen, appear very extraordinary in the eyes of all Men, that you, who have been denying your Governors the Constitutional and essential Power of a Voice in the Appropriation of the Publick Money, and the Right of appointing Militia Officers, should now all at once desire to invest me with a Power over the Lives, Liberties, and Fortunes of your Constituents, without the Aid of Juries, or the common proceedings of Justice. Such a Power may be safely vested in so numerous and August a Body as the House of Peers, whose independent Stations and high Characters set them far above corruption or party Views; But in the Hands of a Single Man, Gentlemen, it might prove of ruinous and dreadful consequences.

"That your Constitution is defective in many respects, I shall dispute with you; but undoubtedly this would not be the way to mend it. For my part I have nothing in view but to exercise the little share of Authority it gives me, and to leave its Defects, where it has any, to be amended by the Wisdom of our Superiors.

"The instance you give of a former Assembly's being of Opinion that they had a Right to Impeach, and the Governor to Judge of

such Impeachments, is no better Proof than your own Opinion. It is a Rule that Long Custom and Usage are the best Expositors of every Law, and of the Sense of those who framed it; and in this case, it is very remarkable that you do not offer to produce a Single instance, since the Date of the Present Charter, where a Governor of this Province has dared to exercise the Jurisdiction you offer me, though greatly tending to aggrandize himself.

"On the Contrary, I mentioned to you a former Governor of this Province who had the Virtue to refuse a Like Offer, and for that reason you fall upon his Memory in the bitterest Terms of reproach, declaring him destitute of every Virtue, Moral, Political, or Religious, and alledging in Proof thereof, that he was Charged by the Assembly with a Behaviour offensive to God Almighty; If the Charges, Gentlemen, which are made by the Assemblys of this Province against their Governors could be admitted as any Proof of their Guilt, it has been our Misfortune that this Province has scarcely had an honest or Good Governor in it. Mr. Evans in all his writings, shews himself to have been a Gentleman of Learning, and we know that he was supported in this Instance by the Advice and Assistance of an Able Council, and a Judge famous for his Integrity and his abilities in the Law. His Messages prove that he had Political Virtues, and Whatever you may be pleased to alledge to the Contrary, the Refusal mentioned above will ever be an Instance of his Moral Virtue. Almost every civilized Nation Suffers their Dead to rest in Peace, And surely, Gentlemen, it may be enough for you that you can use an unbounded Freedom in Calumniating your Living Governors, without raking into the Ashes of those who are no more.

"But you are Pleased to remark further, that a Governor's assuming a Power to Determine on the Impeachments of the Assembly, cannot be attended with the least Insecurity to the Lives and Liberties of the People, but will, on the Contrary, be the best means of bringing to Justice those who oppress the Subject. A Sheriff, say you, may be corrupted, a Jury packed, a Court who hold their Commissions during Pleasure, may be influenced, but it is unnatural to presume that the Representative Body of the People should be partial, corrupted, or do Injustice. Is it Possible, Gentlemen, that you who consider yourselves as the Representatives of Freemen and Englishmen can be serious in these Opinions; Can you be really desirous to destroy at once the great Bulwark of English Liberty, and throw an Odium upon Trials by Juries, and the Judgment of our Peers, that inestimable Privilege purchased and preserved by our Fathers at so great a Price, and which neither ought, or can be taken away by implied Constructions? If it be unnatural to presume that the Representative Body of the People, who do not act under the Tie of a Particular Oath, should be partial, corrupted, or do injustice; is it not yet

more unnatural and uncharitable to Suppose that in any Cause depending in a Court of Justice, a Sheriff who, as well as yourselves, in this Province is Elected by the People, may be corrupted, a Jury, against whom the indulgent Law gives the Party charged every just cause of Challenge, packed, and a Court influenced; all of whom, it is further to be observed, discharge their several Duties under a particular and solemn Qualification and Oath. What man would not rather Trust his Cause to a Number of his Neighbours and Equals, Chosen and Sworn for that particular Purpose, than to any standing Body whatsoever, whose Powers may be stretched to any Extent, being Uncontroulable and undefined by any express Law?

"Upon the whole, Gentlemen, give me Leave to tell you once for all that I neither will consent to take upon me the Powers you offer, nor yet to remove Mr. Moore from his offices, without a full Hearing, in order to satisfy my self of the Truth of the Charges against him, agreeable to the Practice of all preceding Governors of this Province on Complaints exhibited against Justices of the Peace. It will, therefore, be in vain for you to spend the publick Time in any further debates or Overtures on this Head. The late Assembly were so far from thinking such an Enquiry unreasonable that, at my Instance, they furnished me with Copies of the Petitions and Evidence exhibited in their House against him in his absence; and it is intirely owing to your Sudden and unexpected Determination of Changing the Late Assembly's Address to remove Mr. Moore into Articles of impeachment, and your Confinement of his Person, that Mr. Moore, if Guilty, is thus Long continued in his Commission. Had you permitted the Enquiry I proposed to go on, it would have been brought to a conclusion before now, the Publick would have been fully satisfyed, and a great deal of Time and expence saved to the Province. What may have been your motives in this Part of your Conduct I will not say; but must confess they appear to me very extraordinary.

"You are quite mistaken in asserting that a former worthy Governor of this Province, when he was about to pass a Bill of Disability, required no other Satisfaction of the Guilt of the Person than what he collected from a Conference with a Committee of Assembly. The Council Books, which have been inspected on that Occasion, plainly shew that the Person against whom the Bill was preferred was called before the Governor in Council, the matter fully heard, and the Governor fully Satisfied of the Truth of the Facts set forth in the Bill, previous to his passing it.

"A Governor must be made a very insignificant Person, indeed, if he was Obliged to yield implicit Obedience to the Address of an Assembly, which, as you say, may sometime be founded on rumour only, to remove or continue what Officers they think Proper, without satisfying his own Mind as to the Guilt or Innocence of the

Persons. It is remarkable that you have formily put it among the List of your Grievances, that the Judges and Majestrates hold their Offices during the Pleasure of a Governor; and now you desire that they should hold them during your Pleasure, and be continued or discarded agreeable to your directions, which must be the case if they are to be removed on your bare remonstrance against them. My motive for refusing the Power of Judging on Impeachments, does not arise as you insinuate, from any desire in me to screen Mr. Moore from Justice; he is a Gentleman with whom I have not the least Acquaintance, nor is he so much as personally Known to me.

"You conclude, Gentlemen, by calling on me to redress Grievances, to relieve your fellow Subjects from Oppression and Slavery, to restore the Constitution, and then you promise that every thing I can reasonably ask will chearfully be granted me. Gentlemen, if your Constituents feel the Weight of any Grievances, I will chearfully Join in doing every Legal Act in my Station to redress them; but beyond the Limits of my just Power, I never will Venture to go. I have neither Oppressed or enslaved your fellow Subjects, or invaded the Constitution; when I am convinced of the Contrary, I shall think it my Duty, independent of any other consideration, to exert myself by all means in my Power, to apply a Remedy adequate to the evil.

"You will suffer me, Gentlemen, to call on you in my Turn, if you are that Loyal and faithful People you profess to be, Solicitous of assisting in the General Defence of America, as well as in that of your own particular Province, to give some Immediate Proof thereof. Proceed to grand the necessary Supplies for the Current Year. Frame and pass effectual and Constitutional Bills to establish a Militia Law, and regulate the Indian Trade. Attend to the Several Weighty Public Matters I have repeatedly recommended to you in my former Messages, and consider how unbecoming it is, to neglect these great Services, and employ yourselves, in new heats and Disputes, at a Time when publick Danger surrounds us on every side, and our vigilant Enemies, who indeed, threaten us with Oppression and Slavery, are every moment preparing to renew their Cruelties and Barbarities on the Inhabitants of this and the neighbouring Colonies; and unless measures are speedily taken to defeat their wicked Schemes, may too soon accomplish that Ruin from which nothing but Union and Vigorous Exertion of our Natural Powers can save us.

"WILLIAM DENNY.

"January 24th, 1758."

The Secretary was directed not to deliver the Message to the Assembly till the Tryal of Mr. Smith, the Provost, should be over, as it would be to no Purpose to deliver it sooner.

A Letter from the Secretary of State, by the Harriot Packet, was

read, informing the Governor that Monsieur D'Abren, Envoy Extraordinary from his Catholick Majesty, had lately delivered divers Complaints of Violence and Depredations committed in America, the same was order'd to be enter'd as follows:

A Letter from Secretary Pitt to the Governor.

"WHITEHALL, 16th September, 1757.

"Sir:

"Monsr. D'Abren, Envoy Ext^y. from his Catholick Majesty, having lately delivered divers Complaints of Violence and Depredations, particularly mentioned in the inclosed Paper, committed by his Majesty's Subjects in America against those of Spain, I am to inform you that the King, seeing with the Highest Disapprobation the daily Growth of such scandalous Disorders, and having nothing more at Heart than to Stop the Progress of Practices, which, if not repress'd, must involve his Majesty in odious Disputes with all the Neutral Powers of Europe, is Determined to exert the full Authority of the Law in vindication of the Justice of his Crown, and of the Honour of the British Nation, and in this View I am hereby to Signify to you His Majesty's Pleasure that you do enforce with the utmost Vigor the observance of the Add^l. Instructions of Octo^br. 5th, To all Privateers, and employ uncommon care and Diligence effectually to Prevent, and if Possible to cut up by the Roots all Excesses and enormities, alledged to be committed in Violation of the just Freedom of Navigation of his Catholick Majesty's Subjects; *And whereas,* with regard to all Spanish Vessels bound to a Port of Spain in America, the Case of Contraband cannot exhibit, it being self-Evident that no effects whatever carried by a Nation to its own Ports can in any case fall under that Description, it is his Majesty's Pleasure that you do give the strictest Orders that no Spanish Ship, under those Circumstances, be disturbed or Molested in their Navigation, and that in case of Outrages or Depredations committed on the Same, You do your utmost to discover all such Violaters of Justice & Disturbers of the Harmony subsisting between the Two Nations, and to bring the Same to condign and Exemplary Punishment.

"I am, Sir, Your Most Obedient humble Servant,

"W. PITT.

"P. S.—Your Letter of April 9th, and one since without date have been received."

Copies of the above Letter were ordered to be made and delivered to the Collectors and Judge of the Admiralty, and a strict Charge given that the Contents be complied with.

The Commission for the County of Lancaster was signed, with a Warrant to affix the Great Seal to it. The names and order of the Justices are as follows:

At a Council held at Philadelphia, Monday the 13th February, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,	Lynford Lardner,	Esquires.
Benjamin Shoemaker,	Thomas Cadwalader,	
Richard Peters,	John Mifflin,	

A Bill for regulating the Indian Trade was read, which was presented last night to the Governor by Two Members; Mr. Turner, Mr. Lardner, Mr. Chew, and Mr. Mifflin were appointed a Committee to consider the said Bill, and the several exceptionable Parts, and prepare Amendments to be laid before the next Council.

At a Council held at Philadelphia, Wednesday the 15th February, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Benjamin Chew,	John Mifflin,	
Thomas Cadwalader,		

William Peters, Esquire, was appointed Secretary and Clerk of the Council, in the absence of his Brother, who is gone to New York.

The Committee appointed to consider the Bill for preventing Abuses in the Indian Trade, &c., and make Amendments thereto, acquainted the Governor that they had considered on the Amendments proper to be made to it, which were read and approved, and ordered to be transcribed fair and delivered by the Secretary with the Bill to the House. The Amendments are as follows:

Amendments to the Bill for preventing Abuses in the Indian Trade.

"1st Amend^{t}. In the Title, Dele the Words [restoring and confirming the Peace, and] and instead thereof insert the Words [securing and strengthening the].

"2d Amend^{t}. Dele also in the Title the Word [heretofore].

"3d Amend^{t}., page 4, lines 13, 14, 15. Dele the Words [Joseph Fox, John Hughes, John Baynton, Joseph Galloway, Isaac Zane, Able James, Samuel Wharton] in whose stead the Governor proposed to insert [William Coleman, Evan Morgan, Henry Harrison, Samuel Smith, Thomas Willing, William West, John Wilcox].

"4th amt, same page, lines 21, 22. Dele the Words [any thing herein contained to the contrary notwithstanding].

"5th amt, Antepenult Line. Dele the Words [Two and an half ℔ Centum].

"6th Amt, Antepenult and penult Lines. Dele the Words [Two and an half ℔ Centum].

"7th Amt, Same page, last line. Dele the Words [Five ℔ Centum] and instead thereof insert the Words [Two and an half ℔ Centum, and no more].

"8th Amdt, page 4 and 5. Dele from the Words [and], inclusive, in the last line of the 4 page, to the Words [Commission], inclusive, in the 24 line of the 5 page, and instead thereof insert as follows, Vizt: [and that during the Continuance of this Act, as often as there shall be occasion, one or more suitable Person or Persons shall be recommended by the said Commissioners for Indian Affairs, or of the Majority of them, or of the Survivors of them, to the Governor or Commander-in-Chief of this Province, who, if approved of by him, shall be Commissionated as Agent or Agents to carry on the Trade with the Indians].

"9th Ament, Page 5, last line. After the Word [The] add as follows: [Governor and Commander-in-Chief of this Province, by and with the approbation of the].

"10th Amt, Page 6, Line 1st. Dele the Word [who], and after the word [affairs] add [or a Majority of them, or the Survivors of them, which said Commissioners].

"11th Amt, Page 9, Line 21st. Dele the Words [Commissioners for Indian Affairs] and instead thereof insert the Words [The Assembly of this Province for the Time being].

"12th Amt, same Page, line 22. After the Word [appearing] add as follows, Vizt: [To them on the Settlement of the said Commissioners' Accounts].

"13 Amt, Same Page, line 24. Dele the Words [their Hands] and instead thereof insert the Words [the Hands of their Speaker].

"14th Amt, Page 11, Line 20. After the Word [or] add [if Conscientiously Scrupulous of takin an Oath, then].

"15th Amt, Page 11, Lines penult & Last. Dele the Words [said Commissioners for Indian Affairs, with the Assent of the Governor] and instead thereof insert the Words [Governor and Commander-in-Chief of this Province, with the Approbation of the said Commissioners for Indian Affairs, or a majority of them, or of the survivors of them].

"16th Amt, Page 12, Line 11. After the Word [Such] insert the word [Legal].

"17th Amt, Page 13, lines 20–21. Dele the Words [as they, with the approbation of the Governor, shall think most prudent

and suitable] and instead thereof insert the Words [in manner aforesaid].

"18th Amt. Page 14, line 7. Dele the Words [Commissioners their].

"19th Amt. Page 15, line 15. Dele the Words [by them].

"20th Amt. Same Page, line 10. After the Word [the] add the Words [Governor and Commander-in-Chief of this Province, and the said].

"21st Amt. Page 16, line 6. After the Words [aforesaid] insert this Clause, Viz.: [And be it further enacted by the Authority aforesaid, that during the Continuance of this Act, any of the Persons herein appointed, or that hereafter shall be appointed Commissioners for Indian Affairs shall be elected Members of Assembly of this Province, that then such Person or Persons so to be elected shall thence cease to be Commissioner or Commissioners for Indian Affairs, and others shall be appointed in their stead, by Act of Legislature of this Province; and in the mean Time, until such Appointment, the other Commissioners herein before nominated and appointed for Indian Affairs, or the Majority of them, or of the Survivors of them, shall, and they are hereby authorized and impowered to Act as Commissioners for Indian Affairs, and shall have the same Powers and Authorities as are herein before given to all the said Commissioners by this Act nominated and appointed, anything herein before mentioned or contained to the Contrary thereof in any wise notwithstanding].

"16th February, 1758."

At a Council held at Philadelphia, Saturday the 18th February, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,
Joseph Turner,
Benjamin Chew,
John Mifflin,
} Esquires.

The Governor received this morning, by Two Members, the Assembly's Answer to the Amendments made by his Honour on the Sixteenth, to the Bill for preventing Abuses in the Indian Trade, which were read and considered, and ordered to be entered.

A Reply thereto was ordered to be drawn up, to be laid before the next Council.

"*Answer to the Governor's Amendments sent down to the House, on the Bill for preventing Abuses in the Indian Trade, &ca.*

"Amend^{t} 1st. The House adhere to the Bill.

"2d. The House adhere to the Bill.

"3. Rejected unanimously; but the House have named Nine Commissioners, instead of those inserted in the Bill, Viz^{t}: John Reynolds, Plunket Fleeson, Daniel Rundle, Thomas Wharton, Peter Chevalier, jun^{r}, Thomas Coombs, Joseph Richardson, Merch^{t}, Enoch Story, & James Pemberton.

"4. The House adhere to the Bill, being of opinion, that retaining the Words [anything herein contained to the contrary notwithstanding] will prevent the necessity of repeating the Words [or a Majority of them, or the Survivors of them] in many Parts of the Bill.

"5th. The House agree to the Governor's Amendment.

"6. The House agree to the Governor's amendment.

"7. The House agree to the Governor's amendment.

"8. The House adhere to the Bill.

"9. The House agree to the Governor's Amendment.

"10. The House agree to the Governor's Amendment.

"11. The House agree to the Governor's Amendment.

"12. The House agree to the Governor's Amendment.

"13. The House agree to the Governor's Amendment.

"14. The House agree to the Governor's Amendment.

"15. The House adhere to the Bill.

"16. The House adhere to the Bill, with the Addition of these Words, Viz^{t}: [consistent with these Act] to be inserted after the Word [directions] in Page 12, Line 12.

"Amen^{t} 17. The House adhere to the Bill.

"The House adhere to the Bill, and instead of the Governor's proposed Amendment, have added the following Clause to be inserted in Page 7, after the words [publick Interest], Viz^{t}: [And 'be it enacted by the Authority aforesaid, that the said Commissioners, or any or either of them, shall not directly or indirectly buy, sell, barter or exchange, or Trade with any Indian or Indians, on his or their own Account, or on the Account of any other Person or Persons whatsoever, nor suffer any Person under his or their Directions so to do, during the Continuance of this Act, but for the Account of the Province only, under the penalty of one hundred Pounds for every such offence, to be recovered in the Same manner the other Fines and Penalties inflicted by Virtue of this Act are directed to be recovered, one-half thereof to the Informer, or the Person that

shall sue for the same, And the other half to be applied to the uses of the said Indian Trade']].

"Amend^t 19th. The House adhere to the Bill.

"20. The House adhere to the Bill.

"21. Rejected, N. C. D.

"Signed by order of the House.

"CHARLES MOORE, Clk. of Assembly."

MEMORANDUM.

On the Twentieth of February, the Governor, by the Secretary, sent the following Letter from Lord Loudoun to the House, with a Verbal Message that his Honour earnestly recommended the House would take the Contents thereof into their immediate Consideration:

A Letter from Lord Loudoun to Governor Denny.

"NEW YORK, February 13th, 1758.

"Sir:

"As I am directed by his Majesty to apply to the several Governments in North America, for such aid and assistance as are necessary for carrying on a War in this country, which is Likewise fully expressed in the Several Letters Transmitted by his Majesty's Secretaries of State, down from Sir Thomas Robinson's Letters to them of the 26th of October, 1754, To this Time, directing that they should correspond and Co-operate with his Majesty's Commanders-in-Chief for the Time being, in North America, and that they will use their utmost endeavours to Induce their Councils and Assemblys to give the necessary orders for raising their Quotas of Men with the greatest Expedition, so that they may be ready to march to such Places as the Commander-in-Chief shall direct.

"In Consequence of which Orders, I do now apply to you to use your utmost endeavour with your Council and Assembly, to Furnish a Body of Eight Hundred Good Men, and that as many of them as possible should be used to ranging to act in Conjunction with his Majesty's Forces the next Spring in carrying on Vigorous and Offensive Measures against the Enemy, over & above what is necessary for the Defence of your own Forts on the Frontiers of your Province, and that this Body should be ready to March by the Beginning of April.

"As this will Occasion the raising an additional Number to what your Province now have, I would propose to you that the Addition should be raised only for the Campaign, and to be dismissed at the end of it, by which means I am of opinion that it will not only be less expensive to the Province, but you will the Sooner Compleat

your Quota with Good Men, as they will be enabled to return to their own Habitations in the Winter.

"I am the further induced to expect that they will readily comply with this request that I will, as soon as they join his Majesty's Forces, supply them with the King's Provisions at the Expence of the Crown, which will greatly ease the Province in that Material Article, and as the Service will be an immediate Benefit and Security to your Province.

"I need use no Arguments to induce you, who are so well acquainted with the Interest of this Country, to use your utmost endeavour to forward this Measure, so essential for carrying on the War & the safety of your own Province.

"I am, with Regard, Sir,

"Your most Humble Obedient Servant,

"LOUDOUN."

At a Council held at Philadelphia, Monday, 27th February, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Joseph Turner, Benjamin Chew, Thomas Cadwallader, Lindford Lardner, John Mifflin, } Esquires.

The Reply to the Assembly's Answer to the Governor's proposed Amendments to the Bill for Preventing Abuses in the Indian Trade was read and approved, and the Secretary directed to return the Bill to the House with the Governor's Amendments, as follows:

"*Reply to the Assembly's Answer to the Governor's Amendments to the Bill for preventing Abuses in the Indian Trade.*

"Amend^{t} 1st. The Governor adheres to the Amendment.

"2d. The Governor adheres to the Amendment.

"3d. The Governor rejects Seven of the Persons named by the Assembly, To wit: Plunket, Fleeson, Daniel Rundel, Thomas Wharton, Thomas Coombs, James Pemberton, Enoch Story, and Peter Chevalier, jun^{r}, and in their stead recommends to the House the following Gentlemen, Viz^{t}: William Coleman, Evan Morgan, William Cox, Amos Strettel, Thomas Gorden, Redmond Cunningham, and John Rhea.

"8th. The Governor will withdraw this amendment, provided the words [Governor and] are inserted after the word [by] in the first line of Page 5, and the Word [three] in the 3d and 17th lines is altered to the Word [Six], and the Words [Governor and] are inserted in the 15th Line of the same Page after the Word [the].

"15th. The Governor will adhere to this Amendment.

"16. The Addition proposed by the House, being virtually the Same with the Amendment proposed by the Governor, he Consents thereto, and withdraws his Amendment.

"17th. The Governor adheres to his amendment.

"18th. The Governor adheres to his Amendment, & rejects the addition proposed.

"19th. The Governor adheres to his Amendment.

"20th. The Governor adheres to his Amendment.

"21st. The Governor adheres to his Amendment.

"Amend^{t}. 22d. Page 16, Line penult. Dele the Word [Five] and insert [Three]."

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MEMORANDUM.

On the Twenty-Eighth of February Two Members waited on the Governor with an Answer from the House to the Governor's Reply to the Assembly's Answer to his Honour's Amendment to the Bill for Preventing Abuses in, in the Indian Trade, which follows in these words:

"*Answer to the Governor's Reply to the Assembly's Answer to his Honour's Amendments on the Bill for Preventing Abuses in the Indian Trade, for supplying Indians, Friends and Allies of Great Britain, with Goods at more easy rates, &c^{a}.*

"Amend^{t}. 1st. The House adhere to this Bill.

"Amend^{t}. 2d. Adhere to the Bill.

"3d. Adhere to the Bill.

"8th. Adhere to the Bill.

"15th. Adhere to the Bill.

"16th. Adhere to the Bill.

"17. Adhere to the Bill.

"18. Adhere to the Bill.

"19. Agree to the Governor's Amendment.

"20. Adhere to the Bill.

"21. Reject it, N. C. D.

"22. Agree to the Governor's Amendment.

"Signed by order of the House.

"CHARLES MOORE, Clk. of Assembly."

At a Council held at Philadelphia, Tuesday, 7th March, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Benjamin Shoemaker,	Robert Strettel,	Esquires.
Richard Peters,	Benjamin Chew,	
Lynford Lardner,	Thomas Cadwallader,	
John Mifflin,		

The Governor received this morning by express, Two Letters from the Secretary of State, Dated at Whitehall the 30th December, 1757, which were read, considered, and ordered to be entered.

"WHITEHALL, 30th December, 1757.

"Sir:

"The King having Judged proper that the Earl of Loudoun should return to England, and his Majesty having been pleased to appoint Major Genl Abercrombie to Succeed his Lordship as Commander-in-Chief of the King's Forces in North America, with the same Powers and Authorities, I am commanded to signify to you his Majesty's Pleasure that you do apply to & correspond with Major Genl Abercromby on all Matters relating to the King's Service; & that you do Obey such orders as you shall receive from him, in the same manner as you were directed to do with regard to the several former Commanders-in-Chief in North America, and you will from time to time give Mr. Abercromby all the Assistance & Lights in your Power, in all matters relative to the Command with which the King has honoured him.

"And I am particularly to signify to you his Majesty's Pleasure that in case Major Genl Abercromby, or the Commander-in-Chief of his Majesty's Forces, shall at any Time apply to you to lay an Embargo on all Ships within your Province, you do strictly comply with the said request for so long a time as the Commander-in-Chief shall desire.

"The King having resolved to send a considerable Squadron of Ships of War the Ensuing Year to North America, I am further to signify to you his Majesty's Pleasure that you do from time to time transmit to the Commander-in-Chief of the King's Ships in North America, all intelligence relative to his Department in the same manner as you were directed to do by my Letter of the 19th of last February to Vice Admiral Holbourn, & it is also the King's Pleasure that you do on any application from the Commander-in-Chief of the King's Ships, use all Legal methods to supply him with such a Number of Sailors and Workmen from your Province as he shall at any time require for his Majesty's Service.

"I am, Sir, your most Obedient humble Servant,

"W. PITT."

"WHITEHALL, 30th December, 1757.

"Sir:

"His Majesty having nothing more at Heart than to repair the Losses and Disappointments of the Last inactive and unhappy Campaign, and by the most Vigorous and extensive Efforts to avert, by the Blessing of God on his Arms, the Dangers impending on North America, and not Doubting but all his faithful & brave Subjects there will chearfully co-operate with and second to the utmost the Large Expence and extraordinary Succours supplied by this Kingdom for their Preservation and Defence, And his Majesty Considering that the Several Provinces from Pennsylvania, inclusive to the Southward, are well able with Proper Encouragement to furnish a Body of several Thousand Men to join the King's Forces in those parts for some offensive operation against the Enemy; And his Majesty not judging it expedient to limit the Zeal and Ardour of any of his Provinces by making a Repartition of the Forces to be raised by each respectively for this most important Service, I am commanded to Signify to you the King's Pleasure that you do forthwith use your utmost Endeavours and Influence with the Council and Assembly of your Province to induce them to raise with all Possible Dispatch as Large a Body of Men within your Government as the Number of its Inhabitants may allow, and forming the Same into Regiments as far as shall be found convenient; that you do direct them to hold themselves in readiness as early as may be to march to the Rendezvous at such Place or Places as may be named for that Purpose by Brigadier General Forbes, appointed to Command his Majesty's Forces in those Parts, in order to proceed from thence in Conjunction with a Body of his Majesty's British Forces, & under the Supreme Command of Brigadier Forbes, appointed as above so as to be in a Situation to begin by the first of May if Possible, or as soon after as shall be any way practicable, such offensive Operations as shall be judged by the said Commander of his Majesty's Forces in those Parts most expedient for annoying the Enemy, and most efficacious towards removing & repelling the Dangers that threaten the Frontiers of any of the Southern Colonies on the Continent of America. And the better to facilitate this Important Service the King is pleased to leave it to you to issue Commissions to such Gentlemen of your Province as you shall Judge from their Weight and Credit with the People and their Zeal for the Public Service may be best disposed and enabled to quicken and Effectuate the Speedy levying of the Greatest Number of men. In the Disposition of which Commissioners I am perswaded you will have nothing in View but the good of the King's Service and a due Subordination of the whole when joined to his Majesty's Commander. And all officers of the Provincial Forces as high as Colonels inclusive are to have Rank according to their Several respective Commissions in Like manner as is already

given by his Majesty's Regulations to the Captains of Provincial Troops in America.

"The King is further pleased to furnish all the Men so raised as above with Arms, Amunition, & Tents, as well as to order provisions to be issued to the Same by his Majesty's Commissaries in the same Proportion and manner as is done to the rest of the King's Forces; and a Sufficient Train of Artillery will also be provided at his Majesty's Expence for the Operations of the Campaign. The Whole, therefore, that the King expects & requires from the Several Provinces is the Levying, Cloathing, and Pay of the Men; & on these Heads also, that no Encouragement may be wanting to the full Exertion of your Force, the King is further most graciously Pleased to permit me to acquaint you that Strong Recommendations will be made to Parliament in their Session next Year to grant a proper Compensation for such Expences as above, according as the active Vigor and Strenuous Efforts of the Respective Provinces shall justly appear to merit.

"Altho' several Thousand Stands of Arms will be forthwith sent from England, to be distributed to the Troops now directed to be raised in the Southern & Northern Provinces, yet as it is hoped that the Number of Men levyed in all Parts of America may greatly exceed the Quantity of Arms that can at present be supplied from England, It is his Majesty's Pleasure that you do with particular Diligence immediately collect and put into the best Condition all the Serviceable Arms that can be found within your Government, in order that the Same be employed as far as they will go in this Exigency.

"I am further to inform you that similar Orders are sent by this Conveyance to Maryland, Virginia, North Carolina & South Carolina. The Northern Governments are also directed to raise Men in the Same Manner, to be employed in such Offensive Operations as the Circumstances & Situation of the Enemy's Possessions in those Parts may point out, which it is hoped will Oblige them so to divide their Attention and Forces as will render the several Attempts more easy and Successful.

"It is unnecessary to add any thing to animate your Zeal in the Execution of his Majesty's Orders on this Great Occasion, where the Safety and Preservation of America, and of your own Province in Particular, are at Stake, and the King doubts not, from your Known Fidelity and attachments, that you will employ yourself with the utmost application and Dispatch in this urgent and dangerous Crisis.

"I am, Sir, your most Obedient Humble Servant,

"W. PITT."

The following Message was drawn up and approved, and if the Assembly was still Sitting, as it was late, the Secretary was ordered

to Deliver it to-night, if not, to-Morrow Morning, with a Copy of the Letter last above entered, from Secretary Pitt, and the Governor being informed the House was risen, the Message was dated the Eighth:

"Gentlemen:

"I have ordered to be laid before you a Letter I received from his Majesty's Principle Secretary of State, which contains Matters of the utmost importance to his Majesty's Service, the common Concern of his Dominions on this Continent, and more particularly the Security and Protection of this and the Southern Provinces. The vigorous Efforts determined on by his Majesty the ensuing Campaign to repair our late Losses and to secure us from the future Designs of his Enemies, give the most convincing Proofs of his Royal Care and paternal Regard, and must neceesarily inspire every Loyal Heart to make the most grateful Returns. I cannot, therefore, doubt a ready and chearful Compliance on your Part, with the most reasonable Demands made of this Province by his Majesty in the Secretary of State's Letter. On an occasion so interesting, I must in the Warmest Terms press you, Gentlemen, to use Vigor, Unanimity, and Dispatch in your Councils, that nothing may be wanting towards the immediate Execution of such Offensive Measures as the Commander-in-Chief may judge necessary for his Majesty's Honour and Interest, in which you may assure yourselves of my most Hearty Concurrence.

"WILLIAM DENNY.

"March 8th, 1758."

The Secretary was ordered to carry down to the House the Indian Trade Bill, with a Message, that the Governor adhered to his Amendments, and would not pass the Bill unless they were all agreed to by the House.

At a Council held at Philadelphia, Monday the 13th March, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell, Richard Peters, } Esquires.
Lynford Lardner, Benjamin Chew, }

Teedyuscung coming to Town on Saturday with three Indian Deputies from Diahoga, the Governor sent the Secretary this morning with his Compliments to them, and by a String of Wampum he wiped off the Snow out of their Eyes and Ears, cleaned their Throats, &ca. Teedyuscung did the same to the Governor by another String, and Twelve o'Clock was appointed to receive them and

hear what they had to say. A little before Twelve Moses Tatamy and Isaac Stille, the Interpreter, came with a Message to thee Governor that Teedyuscung had forgot to acquaint the Secretary this morning that the Deputies had very weighty Matters to communicate, and he would bring his Clerk with him if the Governor had no Objection. They were desired to wait till the Council should consider the Design of bringing a Clerk, and it took up a good while in considering it in all its Lights; at length the Governor was advised to say to them that he was waiting to receive his Brethren, the Indians, in Council, in the same manner as has been usual between their and our Ancestors, and to hear what they have to say to him; That this is not a publick Treaty, and none have ever been admitted into private Conferences between the Governor of this Province and the Indians but the wise men and Counsellors on both sides, and his Honour thinks himself obliged to follow the antient Custom.

The Two Indians were called in, and the above was given them in answer. It was now a Quarter past one. In half an hour Moses Tatamy returned with a most insolent Answer from Teedyuscung, that he was tired with waiting, was at Dinner, and would bring his Clerk or not speak at all to the Governor. Moses was told that the Governor would let Teedyuscung know what he would do and when he should come.

A Bill entituled an Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessels, and also certain Duties upon Wine, Rum, Brandy, and other Spirits, and a Duty upon Sugar for supporting and maintaining the Province Ship of War for protecting the Trade of this Province, and other Purposes for his Majesty's Service, was presented to the Governor for his Concurrence on Saturday Afternoon the Eleventh Instant, and was read for the first time.

The Council adjourned to the Afternoon, half an hour past five, and Summons's were ordered to be sent to every Member to attend.

At a Council held at Philadelphia, Tuesday the 13th March, 1758, P. M.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,	Lynford Lardner,	Esquires.
Joseph Turner,	Benjamin Chew,	
Richard Peters,	John Mifflin,	

The Tonnage Bill was read a second Time, all were of opinion that Trade should be the last thing Taxed; that an Exemption from Duties and the Freedom of the Port had more than any thing con-

tributed to the encrease of our Trade, and they were afraid this would divert it; They observed that the Tonnage was high and would be very severe on Coasters that came here from Boston, Rhode Island and other Places many times in a Year; On these and other Considerations they advised the Governor to confer with some Members of the House on the general Scope of the Bill, not to insist on it, but only to recommend it to the House to consider those Things and to try all other Duties, and this more sparingly.

The Governor related to the Board the Insult he had received from the late Commissioners, and their Treatment of the Two Commissioners who were of the Council, refusing to pay several Matters that were agreed to, ordering Things without his Privity or Consent, &c^a, and doing Business without giving Notice to the Two Members of Council of their Meetings; On these Representations, which were confirmed by Mr. Lardner and Mr. Miflin, it was unanimously agreed that their Names should be struck out as Commissioners, and the House be told the Reasons of it, and desired to insert other Names. It was further observed that they were members of the House, and too much employed to do the Publick Business well; Mr Hugh Davy being nominated in the Tonnage Bill as Collector of the Duties was objected to.

The Bill was committed to Mr. Chew, Mr. Turner, and Mr. Mifflin, to be considered farther and report thereon; And the Secretary was ordered to lay it before the Collector, who was desired to let the Governor know if there was any thing therein contrary to the Laws of Trade.

The Governor related to the Council what passed this Forenoon between his Honour and Moses Tatamy, who was sent by Teedyuscung to let the Governor know he would not deliver any Message unless he might be allowed to bring his Clerk with him.

The Secretary was desired to set this Matter in its true Light to the Indians in private Conversation, and as Mr. Logan was said by one of the Members to be in Town, he was desired to assist in it, or to take it upon himself, as he was better acquainted with these Indians, but it was unanimously agreed that the Clerk should not be permitted to sit in Council. If Teedyuscung desired a publick Conference, and there should not appear any thing against it, after he had related his Message to the Governor in private, or with his Council, he might be indulged with one in the Council Chamber in the State House, and then his Clerk might come, as well as any other Persons Inhabitants of the City.

The Names of the Indians.

Teedyuscung,
Samuel Evans,
Moses Tatamy,
Isaac Stille,
Episcaha,
Capt. Harrison,
Moholiecan,
Willemegihany,
Gelapamind.

At a Conference in the Council Chamber, at the State House in Philadelphia, Wednesday the 15th March, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Benjamin Shoemaker,
William Logan,
Richard Peters,
} Esquires.

The Speaker, with several Members of the Assembly, and many of the Inhabitants of the City.

Indians.

Teedyuscung,	Tepiscaway,	Willymegahany,
Moses Tatamy,	Mohowliekon,	Gillapawmen,
Capt. Harrison,		

Sundry other Indians.

Isaac Stille, Interpreter.

Teedyuscung's Speeches were taken down by the Secretary, and read, Sentence by Sentence, to the Indians. The whole was afterwards settled by Mr. Logan and the Secretary the same Day, and are as follows:

Teedyuscung, addressing himself to the Governor, said:

"Brother:

"I hope your wise men of the Council and Assembly are now present to hear what we have to say." On which they Governor answered him they was, and told him that he was now ready to hear what he had to say.

Teedyuscung then taking out a Large Calumet Pipe filled it with Tobacco, and rising up said:

"Brother:

"The Governor and all your wise men present, hearken to what I am now going to say: At the Treaty at Easton, you desired me to hear you and publish what passed there to all the Indian Nations. I promised you to do it; I gave the Halloo and published it to all the Indian Nations in this Part of the World, even the most distant have heard me. The Nations to whom I published what passed between us have let me, Teedyuscung, know that they had heard & approved it, and, as I was about so Good a Work, they sent me this Pipe, the same that their Grandfathers used on such Good occasions, and desired it might be filled with the same Good Tobacco, and that I, with my Brother, the Governor, would Smoke it. They further assured me that if at any Time I should perceive any Dark Clouds arise, and would Smoke but two or three Whiffs out of this Pipe, these Clouds would immediately disappear."

Teedyuscung then lighted the Calumet Pipe that was Sent to them from the Indian Nation, first smoaked out of it himself, then gave to the Governor, who, with the Council and Members of Assembly, smoaked it.

Teedyuscung then proceeded, and taking hold of a Long Belt said:

"Brother:

"I desire you would hear me, and I hope all who are present will attend to what I am going to say to the Governor.

"Brother:

"I told you when we Consulted together I would not do as had been done heretofore. I would not hide or conceal any part of it in my Bosom, but would hold it up and Publish it, that all the World may hear and see it, and this I shall ever continue to do.

"Brother:

"You may remember I promised I would Give a Halloo; I have done it, and all the Nations you see represented by this Belt, which I now hold in my Hand, have heard whatever you and I have talked together when we were promoting the Good Work; I have made all these Nations as One Man. All the Indian Nations from the Sun Rise to these beyond the Lakes, as far as the Sun setts, have heard what has passed between you and me and are pleased with it, and they have said to me, 'Now, Brother Teedyuscung, we see that you and your Brothers, the English, have been talking about what is good; We, therefore, send you this Belt to Let you Know that we, the Nations who Live some of us at the Sun Rise, and others at the Sun sett, have taken hold at the two Ends of this Belt, and we desire you and your Brothers, the English, to take hold of the Middle, and always, when you are Consulting about what is Good to hold it fast, as our Lives and Safety will intirely depend upon it.'" As he was giving over the Belt to the Governor, he further said:

"Now Brother, the Governor:

"As Ten Nations joined before, and now Eight more have taken hold of the Covenant Chain, we make, in all, now Eighteen Nations who have hold of this Belt."

Gave a Belt of Ten Rows, which had in the Center of it two figures of Men taking One Another by the Hand, which Teedyuscung said was represented himself and the Governor; at Each End of the Belt were two figures, representing the Sun Rising and the Sun Sett, and between these figures were Eight figures in White Wampum, representing the Nations who had taken Hold of it.

Then Teedyuscung proceeded and Said:

"Brother:

"Hear me, and all that are present take Notice.

"You know I told you at Easton that all the Power was in my

Hands, and as I held what was Good in my hand, I told you I would hold it up, and if I saw any that were Willing to Live Quietly and Peaceably, I would deliver it into their Hands, and all the World should see to whom I did deliver it.

"Brother:

"I am heard now by all the Indians, and they are pleased, and have said to me, Brother Teedyuscung, You are now promoting what is Good; We have looked and Enquired who has been the Cause of the Darkness; There are Three concerned, English, French & Indians. We have found one of these three have been the Cause of it, and he shall die. After a Pause Teedyuscung said Something was forgot, and added That the Man is a Frenchman.

"Brother:

"There is a Good Deal of News going backwards and forwards, but tho' it be so, I have stopped his Ears and blinded his Eyes, so that the News runs right before his Breast, he shall Hear Nothing of it, That is, tho' the Indians who have Joined me Live behind the French, must pass by them to come to us, Yet they shall know nothing of what Passes Between us.

"Now, Brother, as I have blinded the Eyes of the French and stopped their Ears, I hope you will do the same."

Gave a Belt of 12 Rows.

"Brother, And all present attend to what I am going to Say:

"You may remember you told me I was so Capable a Man as you were; I see you tell true, you are really a Greater Man than I, and these Words Encouraged me. I have also received Encouragement from the Indian Nations. Now, Brother, Press on with all your might in Promoting the Good Work we are engaged in; Let us beg the God that made us to bless our Endeavours, and I am Sure if you Exert your selves, and God will grant a Blessing, we shall Live."

Gave a Belt of 8 Rows.

"Brother, the Governor, and all present:

"The Indians who Live back Encourage you and me; they have seen us Hold Councils together, and they press us on to Execute what we have begun. They have said to me: 'Do you, Teedyuscung, and your Brothers Press on and don't be discouraged. It is a Work of Great Moment which You have undertaken. When you begin a Great Work, you Can't expect to finish it all at Once; therefore do you and your Brothers Press on, and let nothing Discourage you till you have intirely finished what you have begun.' Now, Brother, As for me, I assure you I will Press on, and the Contrary Winds may Blow strong in my face, yet I will go forwards and never will turn back, but Continue to Press forward untill I have finished, & I would have you do the Same.

"Brother:

"One Word more; I earnestly desire you to Press on; Let us proceed in the Good Road and finish the Work we have undertaken. I desire you Would Open and Clear your Eyes and Look upon our Wives and Children with Pitty and Compassion, and finish the Work as Soon as you can. Tho' you may Hear Birds Singing on this Side and that Side, you must not take Notice of that, but Hear me when I speak to you, and lay it to Heart, for you may always depend that what I say shall be true."

A Belt of 7 Rows.

Then he arose and taking the Governor by the Hand, said: "At Present I have no More to say, but when I hear any News you also shall hear it, for your Ear and mine are One."

The Governor Replied to Teedyuscung and Said:

"Brother Teedyuscung:

"I thank you for what you have now said; as it is a Matter of Great Consequence, I will take time to Consider, and will Let you when I am ready to return an Answer."

N. B.—The Eight Indian Nations mentioned are—

The Ottawaw's, who Live N. W$^{t.}$ of Fort de Troit.

Twightwees,

Chippewaws,

Toawaws, live S$^{o.}$ of Lake Erie.

Caughnawagos,

Mahoowa, live on an Island in One of the Lakes.

Pietoatomaws, live Westward of De Troit.

Nalashawawna, live N$^{o.}$ of New England.

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At a Council held at Philadelphia, Thursday the 16th March, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell, John Mifflin, Benjamin Shoemaker, Thomas Cadwalader, } Esquires.

A Bill Entituled "An Act for granting a Duty of Tonnage upon Ships and Vessels," &$^{ca.}$ was again read. The Committee having drawn up a Message proper to be sent along with the Bill to the House, and likewise a Paper of Amendments agreeable to what was given them in Instruction the Last Council, the same were read, and some alterations made, and then agreed to.

A Message from the Assembly in Answer to the Governor's Message which Accompanied Secretary Pitt's Letter was read in these Words:

"May it Please Your Honour:

"It was with Hearts filled with Loyalty and Gratitude to our most gracious Sovereign that we received his Royal Orders for the most vigorous and extensive Efforts for the Defence of his American Dominions in general and of this Province in Particular. After the last inactive and unhappy Campaign, as well of the King's regular Troops as of the Military Force of this Province, the vigorous Measures His Royal Wisdom is determined to prosecute against the common enemy cannot but give us the most Sensible Pleasure. This we esteem one among many demonstrative Proofs of his Majesty's royal Care and Paternal Regard for His Subjects in this Part of his Dominions; and we should think ourselves wanting in our Duty to the best of Kings did we not embrace this Opportunity to return him our most humble and sincere Thanks for the gracious Protection He Hath hitherto afforded us in common with the rest of his American Colonies, and for His mild and paternal Instructions which he hath transmitted to us in His Secretary of State's Letter.

"We are Sensible that Vigour, Unanimity, and Dispatch in the Colonies are absolutely necessary to Crown with Success his Majesty's Measures for their Protection and Defence; and your Honour may assure yourself that Nothing on our Parts which can be expected from the most loyal, zealous, and faithful Subjects shall be wanting to co-operate with His Majesty's Forces in their offensive Operations in these Parts of His Majesty's Dominions.

"At the time your Honour laid before us the Secretary of State's Letter, of the 30th of December last, we were upon a Bill for granting a Sum of Money to His Majesty's use for fitting out the Provincial Ship of War for protecting our Trade, which now lies before you for your Assent; and upon His Excellency the Earl of Loudon's Application, had further resolved, by a Land Tax, to furnish the Crown with Seven Hundred Men for the ensuing Campaign; besides the Forces we judged necessary to remain in Garrison on our Frontiers, referring your Honour to your other Government to compleat of Eight Hundred Men, requested of you by his Lordship; but upon receiving the above mentioned Letter, we are determined to comply with His Majesty's most gracious Demand of this Colony, and to encrease that Number, as far as the present distressed Situation of the Province, and Abilities of its Inhabitants will permit; and we are accordingly preparing a Bill to be presented to your Honour for that Purpose, to which we hope you may be at Liberty to give your most hearty Concurrence, not doubting your Honour will think it your Duty to apply to your

other Government to exert themselves on this extraordinary Occasion.

"Signed By Order of the House.

"THOMAS LEECH, Speaker.

"March 14th, 1758."

The Secretary was ordered by the Governor to deliver to the House a Copy of the Conference held yesterday with Teedyuscung and other Indians in the Council Chamber, which was done accordingly.

The Governor after the Council broke up, gave orders to the Secretary not to carry the Bill, Message and Amendments to the House, but to detain them to be considered in a full Council.

At a Council held at Philadelphia, Saturday, 18th March, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Joseph Turner, John Mifflin, Thomas Cadwalader, } Esquires.

The Governor informed the Board that last Night he received by Express from New York a Letter from General Abercrombie, dated the fifteenth Instant, which was read and ordered to be entered; the Council approved of his Honours laying an Embargo on all Shipping in this Port; and the Secretary was ordered to deliver the said Letter to the House with a Verbal Message that "General Abercrombie, His Majesty's Commander-in-Chief in North America, having Signified by his Letter of the fifteenth Instant to the Governor, received by Express last Night, that his Majesty's Service requires an Embargo to be forthwith Laid on all Ships and Vessels in this Port, his Honour has Accordingly done it. And I am Commanded by his Honour to Lay that Letter before you for your immediate Consideration, and he most earnestly recommends it to you to comply with the Demand therein made with the utmost Dispatch."

A Letter from General Abercrombie to Governor Denny.

"NEW YORK, March 15th, 1758.

"Sir:

"By Circular Letters from Mr. Secretary Pitt (bearing date at Whitehall, December 30th, 1757) to all his Majesty's Governors on the Continent of North America, from Pennsylvania inclusive to the Southward, which Letters arrived here on the 4th Instant, by the Squirrel Ship of War, and were immediately forwarded to

you by Express from Lieutenant Governor De Lancey, you will find, Sir, that the King having Judged Proper that the Earl of Loudoun should return to England, His Majesty at the same time was Pleased to appoint me to Succeed his Lordship as Commander-in-Chief of the King's Forces in North America, with the same Powers and Authorities; and you will likewise find that in Pursuance of that Appointment it was his Majesty's Pleasure that all the Governors on the Continent should apply to and Correspond with me on all Matters relating to the King's Service; In consequence of which Pleasure so signified to you, and repeated to me, I am to recommend to you to use your utmost endeavours & Influence with the Council and Assembly of your Province to induce them to raise with all Possible dispatch at Large a Body of Men within your Government as the Numbers & Situation of its Inhabitants may allow, all which has already strongly been recommended to you by his Majesty's Secretary of State, as likewise several other Matters contain'd in that same Letter, which for the sake of brevity, I shall avoid repeating & solely refer myself to as it is so full that I do not think it can want any Additions; so far I will venture to go for your further Guidance as to fix the Number of Provincial Troops that may be wanted for his Majesty's Service in those Quarters to Six Thousand, to be furnished by Virginia, Maryland & Pennsylvania, in such proportions & upon the Terms set forth in the above Quoted Letter of Mr. Secretary Pitt to His Majesty's Governors in North America.

"I am at the same time to acquaint you that as it is absolutely necessary for his Majesty's Service, that an immediate Embargo should be Laid on all Ships in the different Ports of the respective Provinces in North America, and as you have already been forewarned that whenever such directions should be Transmitted to you by His Majesty's Commander-in-Chief in these Parts, you should without any the least Difficulty comply therewith, I make no doubt that upon receipt thereof, you will forthwith Publish the said Embargo, which is to hold Good until such time as you receive Notice from me to take off the same, which you may depend on being transmitted to you as soon as his Majesty's Service will allow of it.

"I have nothing further to add, but to desire that you will give me the Earliest notice Possible, of the Success you meet with in your Application to your Council and Assembly, and what Resolutions they are, or are likely to come to, upon the Subject of the Troops to be raised by them, conformable to His Majesty's directions, especially, as the Season is so far advanced, and there is no time to Loose.

"I am with Great regard, Sir,

"Your most Obedient Humble Servant,

"JAMES ABERCROMBIE.

"P. S.—The Embargo took Place in this Port yesterday."

The Governor then issued Orders under his Hand and Seal at Arms, for an Embargo to be laid on all Ships and Vessels, as well to Abraham Taylor, Esqr., Collector of his Majesty's Customs at Philadelphia, as to William Till, Esqr., Collector at New Castle, and to the Collectors of his Majesty's Customs, or the Gentlemen Officiating as Principal officer of the Customs at Lewes.

A Letter was wrote by the Governor to the Commanding Officer of General Otway's Regiment, requiring him without Delay, to reinforce the Guards at the Fort at Wiccacoa, and to use his utmost Endeavours to prevent any outward bound Vessels from Passing the said Fort, until further Orders; and he was acquainted that the Captain of the Fort, Mr. Samuel Mifflin, had his Honour's Directions to Obey the Officer's Orders on this Occasion. The Governor likewise wrote to the same Effect to Samuel Mifflin, Esqr., Captain of the Fort at Wiccacoa.

The other Business was postponed till a further Council, to be convened on Monday next.

Yesterday Two Members waited on the Governor with the following Message:

"May it please your Honour:

"We find, by the Minutes of your Conference with Teedyuscung, on the fifteenth Instant, which you were pleased to lay before us Yesterday Afternoon, that far Distant Tribes of Indians have freely entered into our Alliance, and waited for nothing but the faithful Performance of the Articles of Peace, stipulated on your Part at the Treaty held at Easton, to Join heartily in the British Interest.

"On this important Occasion, when the Peace of this and the Neighbouring Colonies, and the Success of his Majesty's Arms in the Ensuing Campaign, seem deeply interested in your Deliberations, we do assure you, that to Effectuate these Good Purposes, and strengthen your Hands, we will chearfully contribute every thing which can be reasonably expected from us, to confirm the Indians in their Good Dispositions towards us; and we think it our indispensable Duty to put you in mind of your promises to them, that we may heartily join in demonstrating our good Faith by our Actions, and Making it their true Interest to preserve a Perpetual Intercourse and Peace with us, and all other his Majesty's Subjects in North America.

"Signed by Order of the House.

"THOMAS LEECH, Speaker.

"March 17th, 1758."

Then was read the Ratification of the Act of Assembly for Striking Thirty Thousand Pounds, and granting the same to the

King's use, passed in September, 1756, which was ordered to be entered as follows:

"[L. S.] At the Court at Kensington, the 8th Day of July, 1757.

"PRESENT:

"The King's most Excellent Majesty.

"Lord President.

"Duke of Newcastle,	Earl Thomond,
"Earl of Holdernesse,	Viscount Barrington,
"Earl Gower,	Mr. Secretary Pitt.

"*Whereas*, in Pursuance of the Powers granted to the Proprietaries of the Province of Pennsylvania, by Letters Patent under the Great Seal, the Deputy Governor, Council, and Assembly of the said Province, did, in September, 1756, pass An Act, which hath been transmitted, and is entituled as follows, Viz^{t}:

"'An Act for Striking the Sum of Thirty Thousand Pounds in Bills of Credit, and giving the same to the King's Use, and for providing a Fund to sink the Bills, or to be emitted by laying an Excise upon Wine, Rum, Brandy, and other Spirits.'

"His Majesty this Day took the said Act into his Royal Consideration, and having received the Opinion of the Lords Commissioners for Trade and Plantations, and Also of a Committee of the Lords of his Majesty's most Honourable Privy Council thereupon, Is hereby pleased to declare His Approbation of the said Act; And Pursuant to His Majesty's Royal Pleasure thereupon expressed, the said Act is hereby confirmed, finally Enacted, and ratified accordingly, Whereof the Deputy Governor, Council, and Assembly of the said Province of Pennsylvania, and others whom it may concern, are to take Notice, and Govern themselves accordingly.

"W. SHARPE."

At a Council held at Philadelphia, Monday the 20th March, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	Richard Peters,	
Lynford Lardner,	Benjamin Chew,	
Thomas Cadwalader,		

The Secretary acquainted the Governor and Council, that Mr. Logan had Endeavour'd to Learn the Sentiments of the Indians with respect to an Answer to Teedyuscung's Speeches, and to get Intelligence from them of the State of Indian Affairs; but thro'

Indisposition, had not so much Conversation with them as he desired for this purpose, and that he remained still Indisposed, which was the Reason of his Absence.

A Draught of an Answer to Teedyuscung's Speeches was read, and the Secretary was desired to confer with Mr. Logan on the Answer, and they to Consult with Teedyuscung on the same.

The Message and Amendments to the Tonnage Bill were again read, considered, settled, and Ordered to be entered, and sent to the House, by the Secretary, with the Bill.

Amendments to the Bill entituled "An Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessels; and also certain Duties apon Wine, Rum, Brandy, and other Spirits, and a Duty upon Sugar, for supporting and Maintaining the Provincial Ship of War for protecting the Trade of this Province, and other Purposes, for his Majesty's Service."

"1st Amend^{t}, Page 16, Line 6. Dele the Words [Hugh Davy], in whose stead the Governor desires the House will insert some other Person more fit for the Office of Collector.

"2. Page 18, Line 13. Dele the Word [Five] and instead thereof insert the Word [Three].

"3. Page 19, Line 7. Dele the Word [another] and instead thereof insert the words [some other person to be approved of by the Governor and Commander-in-Chief of this Province].

"4th. Same Page, Line 9. After the Word [who] insert the Words [when so approved of].

"5th. Same Page, Line 11, 12. Dele the Words [Hugh Davy].

"6th. Page 20, Lines 9, 10, 11. Dele the Words [Joseph Fox, John Hughes, William Masters, Joseph Galloway, and John Baynton], in whose stead the Governor desires the House to Propose Five others, not Members of the House of Assembly.

"Page 21, Line 14. Dele the word [Ten] and insert the Word [Five].

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A Message from the Governor to the Assembly.

"Gentlemen:

"When I consider that this Province, in a great Measure, owes its quick Rise and flourishing State to Commerce and the great Encouragement given to Trade, I cannot avoid expressing my Apprehensions to you lest the Bill lately presented to me for laying a Duty on the Tonnage of Vessels may prove very injurious to your Constituents in its Consequences. I, therefore, could have wished you had at least fallen on Measures of laying Taxes that might have come in Aid and lessened the Weight of the Burden that by this Bill will be imposed on Trade. However, as you have considered

this Matter, and think Such a Bill necessary, I have sent it down with such Amendments as appear to me Proper and reasonable. You will observe that I have struck out of the Bill such of the Commissioners as are Members of your House, who, I must further inform you, have, on several Occasions heretofore in the Course of their Conduct as Provincial Commissioners, treated me with so much Disregard that it is impossible I can for the future transact any Business with them.

"WILLIAM DENNY.

"March 20th, 1758."

A Petition of John Miller against Justice Thomas Holiday was read, and it appearing to be a complaint of an expressive and extortionate nature, it was thought proper that it should be recommended to Two Justices and Two of the most reputable Inhabitants of Lancaster County to examine into the Complaint and report thereon to the Governor.

At a Council held at Philadelphia, Wednesday the 22d of March, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor.

Robert Strettell,	Joseph Turner,	Esquires.
Benjamin Shoemaker,	Richard Peters,	
William Logan,	Thomas Cadwalader,	
Lynford Lardner,		

The Draught of the Governor's Answer to Teedyuscung's Speech of this day Seven night was read, and after some Alterations settled.

The Governor and Council adjourned to the Council Chamber.

The Secretary was directed to acquaint the House that the Governor would in a Quarter of an Hour deliver his Answer to the Indians, and that they might be present, if they pleased. The Speaker and Assembly, and several of the Inhabitants of the City came into the Council Chamber, and when the Indians were seated the Governor, addressing himself to Teedyuscung, spoke as follows:

"Brother Teedyuscung:

"I have with great attention considered what you said on Wednesday last, and as it was an affair of such great Importance, I consulted my Council, and also laid it before the Assembly. I desire you, and the rest of your Brethren, the Indians, would carefully attend to what I am going to say."

A String.

"Brother Teedyuscung, all your Councellers that are with you, and also the Messengers from the Ohio, hear me:

"The other day you put me in mind of what passed at Easton at the last Treaty, and I find that you remembered your promise very well; I find, also, by what you have said, that you have published the Treaty of Peace far and Wide into every part of the Indian Country, and that to your own and our great Satisfaction, those Indian Nations have accepted the Peace Belt, and have sent to you the Calumet Pipe, that from Old times have been made use of on such Good Occasions, and desired you to fill it with good Tobacco, and Smoak it with your Brother at Philadelphia, and always to smoak it with me whenever any dark Clouds should at any time arise."

After a little pause, the Governor says, "Is not this, Brother, the Purport of what you said Yesterday?" and then waits a little for the Answer, and when given he proceeds:

"Brother:

"This news gives me and all of us the greatest Pleasure, and we receive it from your Hands as a token that you are a faithful Agent and Friend of Pennsylvania, and have done the utmost in the discharge of your Trust.

"Brother:

"I smoaked with a great deal of Pleasure out of the Pipe that the far Indians, formerly our good Friends, sent you on this Joyful Occasion, and found the Tobacco exceeding good; and I must now desire you, for them, as you Represent them, to spoak out of my Pipe, in which I have also put some very good Tobacco, such as our Ancestors used to smoak together, and was at first Planted here when this Country was settled by Onas. We have found by experience that whatever Nations smoaked out of it two or three hearty Whiffs, the Clouds that were between us always dispersed, and so they will again, as often as they arise, if these Indians will smoak heartily of it.

Here the Governor smoaked and gave it to Teedyuscung.

The Governor proceeded, and taking hold of Teedyuscung's First Belt, says:

"Brother Teedyuscung:

"You refreshed my Memory as to what was said at the Last Treaty, that Things should be done no more in private, as had been done heretofore; and that you would not conceal any part of it, but publish it before all the World.

"You also put me in mind of your promise of giving a Halloo that might be heard by the most distant Nations, and that you have done it accordingly; and that all the Nations represented by this Belt I now hold in my hand have heard you, and know and approve

of every thing that has been done by us, and that you have made all those Nations as one Man."

Here the Governor made a Pause, and then Proceeded:

"Brother:

"You also put me in mind by it, that these far Indians have sent Messages to you, heartily Congratulating you on the good Work you have begun with the English, and Encourageing you to perfect it, saying that their and our Lives depended upon it."

The Governor then laid down Teedyuscung's Belt, and taking up the great Belt, said:

"Brother:

"His Majesty, King George, embraces these Eight Nations and receives them with open Arms into the Union established between you and us. I now look upon the union to consist of Eighteen Indian Nations. And by this Belt of Wampum I, in behalf of the Government and People of Pennsylvania, thank You for the Good and kind part you have taken, and Confirmed all that you have done, and shall look upon these Indians all as the Hearty Friends and Allies of the English. I think with them that our Lives and Safety depend upon our mutual Sincerity and Care, and assure you that I shall hold it fast with all my might and as long as the Sun endures."

Gives the Peace Belt.

"Brother Teedyuscung:

"You put me in mind of what passed at Easton when you acquainted me that full Power was in your Hands, and that you had made the best use of it; and thereupon the Indians have sent you Messages expressing their high Satisfaction, and desiring you to press on. They tell you further that they have enquired who has been the Cause of the Darkness, and said there were three concerned in it, English, French, and Indians, and have found that one of these three had been the cause of it, and added that it was the French, and agreed that he should die; and have thereupon stopped all Correspondence with him; have blinded his Eyes and stopped his Ears, that tho' Messengers go thro' his Country to and from you, Teedyuscung, and the English, yet he shall know nothing of the Matter.

"Brother:

"I am glad you found out among yourselves that the French were the Cause of the Darkness that overspread this Country. The King of England found it out long ago, and therefore made War against them. This step that our Brethren, the Indians, made is a wise and Prudent Step. I am convinced by it that the same good Sense that has been among your Ancestors is not Extinguished, but remaineth with you still. I embrace this good Article of News. It shall be recorded in our records; and I thank them and you very

kindly in behalf of all his Majesty's Subjects. I assure you by this Belt that we on our side will also blind his Eyes and stop his Ears that he shall never know what passes between us, even tho' Our Messengers should be Obliged to go across his own Country. In Confirmation whereof I give you this Belt."

Here gives the Belt.

"Brother Teedyuscung:

"You desired that all that were then present might hear, and you put me in mind that I told you I was stronger than you, and that you agree to it, and that my Words gave you Encouragement; and you desired me to Press on the Good Work we were engaged in and exert myself to the utmost, saying nothing should discourage you, and that if we joined heartily together, and the Good God that made us would give it his Blessing, we might promise ourselves Success.

"Brother:

"I acknowledge what you said was true; I have not forgot what I said of your Ability. I shall renew what I said then, and say now again that we are well able. I am pleased that you offer to join with us in Prayers to the Most High for Success on our Endeavours. Do you continue to do your part, and nothing shall be wanting on mine. I have the pleasure to acquaint you that the Representatives who are now Present have assured me that towards bringing to perfection the great and good Work of Peace which we are now Engaged in, and to confirm his Majesty's Indian Allies in their good Dispositions towards us, they will chearfully strengthen my Hands, and do everything which can be reasonably expected from them. And having received these great Encouragements you may depend upon it that the Government will not fail to perform all their Engagements, and to consult and Promote the good of the Indians in every respect."

A Belt.

"Brother Teedyuscung:

"You acquainted me that the Indians who Live far back have sent Messengers to you to encourage you and me in the good Work we have begun, and said that they had seen us sitting in Council together, and tho' it should be a Work that would require some time before it might be perfected, they entreated we might not be tired.

"You further assured me on your Part, that you would press on and go thro' with it, tho' contrary Winds might blow strong in your face, And earnestly persuaded me to do the same; You added one word more, and earnestly desir'd me to proceed in the good Road and finish the Work we had undertaken. You begged of me to open and clear my Eyes, and Look upon our Wives and Children

with Pitty and Compassion, and for their sakes finish as soon as Possible.

"Brother:

"I am very glad that our good undertaking reached to such distant Indians; It was always my thoughts that they would one day repent that they lent their Ears to the French King who poisoned them; I am very glad that by the Divine favour, this happy Day is come so soon, and that these remote Indians are so earnest for us to proceed, that it seems they would Look upon it as a Misfortune, if the Work should not be soon finished; I assure you, brethren, by this Belt, that I look upon this to be a most important Work, the most so, that men can be engaged in; that Nothing shall be wanting on my part, tho' contrary winds should throw Hail, Snow, and Rain in my face it shall not stop me; My eyes are even looking upon our Poor Wives and Children, and for their sakes nothing shall be left undone that is in my Power, I pray the great God that made us, to bless our mutual Endeavours and crown the good Work with success. In confirmation of what I say,

"I give you this Belt of Wampum.

"Brother:

"I agree with you that there are bad Birds in almost every Bush, and that their Chirping ought not to be minded. Tho' there should be a Thousand Birds on both sides the Road, yet the Traveller, who is intent on getting to the end of his Journey, will not hearken to them. I shall, therefore, disregard every thing but what will promote the main Point—Peace and the good correspondence that is between us. This chirping of Birds must not discourage Messengers sent to and fro; only let us take care that we send Men who are faithful, and love to speak truth; for as you say you hear with our Ears, so we hear with yours; And a great deal depends on the Characters of the Messengers, and their regular proceedings. I desire you by this String of Wampum to remember this."

A String.

"Brother:

"You have made use of a great many Messengers, and they have gone to different Countries and different Tribes of Indians. I desire to know the names of your Messengers, and of the Indian Nations they have been sent to, that they be put upon our Records, and the Messengers rewarded for their Trouble."

A String.

The Governor concluded with saying, "I have now fully Answered what you said to me, and I desire to know if you have any thing farther to propose."

Whereupon Teedyuscung arose, and spoke as follows:

"Brother:

"Hearken to me. What you have told me, Brother, I have really felt at my Heart; It is nothing but good and right, and I will accept it.

"Brother, and all you, my brethren, take notice what I am going to say to you.

"I am not going to say any thing New, but only to Put you in Mind afresh of what we proposed, and what passed at Easton.

"Brother:

"When I Look and Consider what we did Discourse about at Easton, and when I Look on our Wives and Children, I can find no better way than this, and what must be done if you will now Act according as we Proprosed. This matter affects my Heart, and lies deeply there, and I hope it will affect yours Likewise.

"Brother:

"Now you must Consider I have a Soul as well as another, and I think it proper you should Let me have two Ministers to teach me, that my soul may be instructed, and Saved at Last.

"Brother:

"And I desire, moreover, two Schoolmasters, for there are a great many Indian Children who want Schoolmasters. One, therefore, is not sufficient to teach them all, so that they may be sufficiently instructed in the Christian way.

"Brother:

"I have a Body as well as a Soul. I want two Men to instruct me and show me the Ways of Living and how to conduct temporal affairs, who may teach me in every thing to do as you do yourselves, that I may Live as you do, and likewise who may watch over me and take care of my Things that no Body may cheat me.

"Brother:

"I hope you will heartily join in this which I have now said, I desire you and I may now lay the Foundation of this good Work upon a Rock and not upon the Sand; For if we don't build it on such a good Foundation it will tumble to Pieces.

"I have not told you all fully, I have only mentioned some short Heads of what I intended to say; I have here but few Councellors, but we have consulted together and have put down at Large in writing our whole Mind, and this paper will show it."

Here he desired a Paper, which was read in these Words.

"Brothers:

"We formerly told you that we desired to be instructed in the Principles of the Christian Religion and requested that we might

have Ministers and Schoolmasters supported among us for that purpose. We now renew our Request, and as many of our Brethren are ready to lay hold on the Chain of Peace, we think it necessary to inform you that Less than two Ministers besides Schoolmasters will be insufficient for that Purpose, and tho' we expect our brethren the English will support them, yet as they are designed for the Benefit of us and our Children, we Judge it both reasonable and necessary that we should have Liberty to chuse them ourselves, after having made the best inquiries we are able into the Characters of those who are to Watch for our Souls, and to whose care our eternal Interests are under God to be committed. This, Brothers, is an Affair that Deserves your most Serious attention, and we hope it will be seriously Considered by our brethren, the English.

"Brothers:

"You are wise men, You tell us the Christian Religion is Good, and we believe it to be so, partly upon the Credit of your Words and partly because we see that some of our brother Indians who were Wicked before they became Christians, Live better Lives now than they formerly did. But, Brothers, we have got Bodies as well as Souls, and tho' our time in this World is Short, it is nevertheless necessary to provide for ourselves and Families while we are in it; this is what our own reason and experience teacheth us and we are confirmed in our Sentiments by the universal Practice of Christians as well as Indians, And since we see that our brethren the English Manage the Affairs which concern their Worldly Estates and Interests with more Wisdom than the Indians do, our next request is that our brethren will Support two honest Men amongst us to be our Councellors and Instructers in temporal Affairs, and at the same to be the Guardians of our Interest, And that we may be the more certain that we are not deceived by our Councellors, we think it necessary to have the choice of them ourselves. We Desire to have two, that if one of them should prove a dishonest Man the other may prevent his imposing on us, And we hope our brethren, the English, will put the Support of our Councellors on such a foundation as will Leave them under no temptations to betray our Interests for the sake of their own temporal gain, and as an additional Security for their Acting Honestly we shall judge it necessary before admitting them into our Service that they Solemnly Swear after the English Manner, that they will Conscientiously perform the trusts reposed in them, according to the best of their Skill and understanding.

"Brothers:

"These are things that appears to us so just and reasonable, that we hope our brethren, the English, who profess to have a sincere regard both for our temporal and eternal Interests, will readily agree to them. A Friendship that is founded on Justice and equity, where a proper regard is had to the Interests of both Parties, may

reasonably be expected to prove durable, and such we desire may be the Friendship between us and our brethren the English. But a Peace that is founded on Injustice and deceit, must end whenever the fraud is discovered.

"Brothers:

"These are things that Lay heavy on our Hearts. Let them sink deep into the Hearts of our Brothers, and if they act conformable to these sentiments, both they and their Children, as well as we and our Children, will feel the good effects of them till the Sun ceases to shine, and the Rivers to Run.

his
"Teedy S uscung.
mark.

After the Paper was read, he added:

"Brother:

"Here is a Messenger who came from a great distance, He will wait for your Answer, that he may have good News to carry to the Indians, and as he has a great way to go, I desire he may be dispatched as soon as Possible."

To which the Governor replied:

"Brother:

"I shall take your request into Consideration, and give you an answer with all possible dispatch, and at the same time I shall have some other things to say to you."

The Secretary was then ordered to make out a fair Copy of the Minutes of Conference with the Indians, and carry them to the House, with the following Message:

"Gentlemen:

"I Lay before you the Minutes of yesterday's Conference with Teedyuscung. You will find at the Close, he reminded me of the Promises made to him at Easton, of an Allowance for Ministers and Schoolmasters for the use of the Indians, when they should be settled at Wioming; and has now made a further request, that two Persons might be allowed them, for management of their affairs in general. As they only stay in Town to receive my Answer, I desire you will enable me, as soon as may be, to give them a Satisfactory One, that our Friendly Indians may see the Government does not refuse them any reasonable request.

"WILLIAM DENNY.

"March 23d, 1758."

At a Council held at Philadelphia, Saturday the 25th of March, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Richard Peters,
Lynford Lardner, } Esquires.

Teedyuscung and the Indians.

Conrad Weiser, Esqr., Interpreter.

The Governor informed the Board that two Members had waited on him on the Twenty-Third, with a verbal Message from the House, in Answer to his Message to the Assembly of that Day, that the House were of Opinion the Requests of the Indians were of great Importance to his Majesty's Service; and that they concieved the enacting a Law for regulating the Indian Trade, was the only means to enable the Governor to fulfil his Promises to the said Indians at Easton, and the Requests they have since made of this Government; and therefore, the House inclined to reconsider the Indian Trade Bill lately offered to his Honour, and sent it up again for his Assent.

A Paper delivered last night to the Secretary by Teedyuscung, was read in these Words, and ordered to be entered:

"Brother:

"I would have this Messenger, who came with me, dispatched as soon as possible, to carry back to the Indians the good news of what we have Now done.

"Brother:

"You must have heard that the Cherokees are come down to go to War. Now, as several of our Friends who have joined with me Live near, and some among, the French, it is necessary the Messenger should be sent before to tell them to seperate from the French, that they may not be cut of with them.

"Brother:

"I would have you also dispatch a Messenger immediately to the Cherokees to inform them what is done, and to stop them, For if any mischief is done It will not be said the Cherokees did it, but that you have done it, who hired and sent them, and this will undo all that we have done. But when the Indian Nations are informed of the Peace we have made, then all those Indians will come and join the Cherokees and be all Friends with the English, and all together will go against the French."

Being asked what sort of Message can be sent to the Cherokees that will not do harm, for should any Indians come down with French Men at their Head, as they have always done, what then must be done?

Teedyuscung replied:

"I would, therefore, have the Messenger sent as soon as possible, to prevent any of the Indians joining with the French."

He farther said:

"Brother:

"Here is our Messenger between us both; I leave it to your Generosity what you shall give him. When a Man is travelling he must eat and Drink. He may also Loose his Horse, which is the case with this Man, who Lost a very stately Horse in coming down; all these things should be considered. There were nine other Messengers who came with this Man; all these should be rewarded; they make in all Ten—Three here and Seven at Bethlehem.

"Brother:

"Since I have been in Town I have been obliged to run in debt at two or three Houses in Town in treating my People. I hope you will enable me to discharge it.

"Brother:

"I recommend my Interpreter to you. I hope you will reward him.

"Brother:

"I have to inform you that upon intelligence received that the French were coming against Fort Allen, I sent Captain Harrison and three other Indians to the Assistance of that Place; they were there on Service Ranging in the Woods two Weeks. I desire they may be rewarded for their Service.

"I desire you will order the Messengers' Guns to be mended at Bethlehem."

"The above was delivered to the Secretary, who was desired to send it immediately to the Governor by Teedyuscung.

"ISAAC STILL, Interpreter.

"The Messenger and Moses Tatamy being present.

"℔ CHA$^{S.}$ THOMPSON."

A Draught of a further Answer to Teedyuscung was read & settled.

A Message from the Assembly delivered by two Members yesterday in the afternoon, was read as follows:

A Message from the Assembly to the Governor.

"May it please your Honour:

"We beg Leave to observe that by the Minutes of the Conferences laid before us from time to time, since the Treaty at Easton, it does not appear that any effectual Measures have been taken to recover our Fellow Subjects from the Captivity they are under with

the Indians with whom a Peace has been long since concluded, nor even to remind them of their Engagements to restore them; We, therefore, think it our Duty to recommend it to your Honour before the Indians depart from this City, to make some enquiry after the Captives, and to take such Measures as shall be most likely to restore them to their Country, Families, and Friends; We also think it absolutely necessary for the welfare of this Province, and the promotion of his Majesty's Indian Interest in America, that a friendly and kind Invitation should be given to the Chiefs of each of the Eight Tribes of Indians that have by a late Messenger shewn an inclination to enter into an Alliance with his Majesty, and to take up Arms against his Enemies, that some of them would when it was convenient to them, take an Opportunity of Visiting this Government, and further ratifying the great Work of Peace so happily begun, and now almost perfected; The good Effects this Province has already felt, and his Majesty's Interests in general is like to receive from the late Conferences with them, are such Proofs of the Good Policy of such an Invitation that we hope we need not add anything further to enforce it.

"Signed by order of the House.

"THOMAS LEECH, Speaker.

"March 24th, 1758."

Another Message from the Assembly delivered at the same time in Answer to the Demand made by General Abercrombie was read, together with the resolves of the House, which were ordered to be entered:

"*Resolved*, That immediate Provision be made for raising, paying and Cloathing Two Thousand seven hundred effective Men, Officers included, to act in Conjunction with a Body of his Majesty's British Forces, and the Forces of Maryland, Virginia, and the Lower Counties on Delaware, in such offensive Operations as shall be carried on and prosecuted by his Majesty's Commander-in-Chief in these parts during the ensuing Campaign.

"*Resolved*, That the Men already raised, and in the Pay of this Government, be a part of the Number to be furnished by the foregoing Resolve.

"*Resolved*, That it is the Opinion of this House, that there be allowed to each able Bodied Man entering Voluntarily into the said Service, the Sum of Five Pounds, as a Bounty for his Enlistment.

"*Resolved*, That it is the Opinion of this House, that there be allowed to each Officer properly Authorized, the Sum of Twenty Shillings for each able Bodied Voluntier he shall enlist into the said Service."

A Message from the Assembly to the Governor.

"May it please your Honour:

"We, his Majesty's faithful and Loyal Subjects, the Representatives of the People of this Province, taking into our Considerations the Demands of our most gracious Sovereign, and being sincerely disposed to comply with them to the utmost of the Abilities of this young Colony, and conscious that we cannot do his Majesty, and the Good People of this Province, a more effectual Service than by joining, with Vigour and Resolution, in the Offensive Operations, planned by our Sovereign, for the Protection and Defence of his American Subjects, have chearfully agreed to raise, clothe, and Pay Two Thousand Seven Hundred Men for this great and necessary Purpose, in full hope that, Under the Blessing of Divine Providence, His Majesty's Arms will be crowned with Success, and Peace be once more restored to this unhappy and distressed Province.

"In doing this, we have not so much attended to the Poverty and inability of our Constituents, as to their present imminent Danger, the Necessities of the Times, and the great Prospect there is of relieving them from their Present unhappy Circumstances, by one united and Vigorous Effort. And therefore animated with a Zeal for the Execution of his Majestie's Orders, in which the Safety of this Colony, and the preservation of America, are so intimately concerned, we have agreed to furnish on this interesting and important Occasion, more men than a full Share, according to the Proportions required of this Province, Maryland and Virginia, notwithstanding the Country has been drained of its Single Men (our servants not excepted), by the great Numbers that have been enlisted into his Majesty's Service, and many others that have entered on board the Privateers of this and the neighbouring Provinces.

"It is also the Opinion of this House that Five Pounds be given as a Bounty to every able Bodied Man that shall voluntarily enter into the Service of the Province, and Twenty Shillings to the Officer for every such Man he shall enlist.

"The House, earnestly solicitous that this Province may be distinguished among the Colonies for its Loyalty, Ardour, and Zeal in Promoting so great an undertaking for the Defence and preservation of America, beg Leave to recommend it to your Honour that you would exert your utmost endeavours, and Leave no method unessayed that may tend to raise the Men in such Time that they may be ready to March to the Place of rendezvous by the first of May, agreeable to His Majesty's Royal Orders; To accomplish which we apprehend nothing can so effectually contribute as a strict and speedy Compliance on your Part with His Majesty's wise and gracious Commands, in issuing Commissions to such Gentlemen of the Province as shall be judged from their Weight and Credit with the People, and their Zeal for the Publick Service, may be disposed and

enabled to quicken and effectuate the speedy levying of the greatest Number of Men. We know from experience, on the One Hand, that unless the Officers are such as are agreeable to the People, no Bounty that the Province is able to pay will procure the Number of Men wanted in Time; and, on the other, if his Majesty's Royal Command is pursued, it will greatly facilitate this important Service.

"Signed by order of the House.

"THOMAS LEECH, Speaker.

"March 24th, 1758."

Then the Governor having called the Indians into Council, and addressing himself to Teedyuscung, spoke to them as follows:

"Brother:

"I fully expected I should now have been able to have given you an answer to the request you made respecting the assistance to be wanted from this Government, in being supplied with proper Ministers, Schoolmasters, and Council at your Indian Towns; I laid your request immediately before the Assembly, and they sent me Word that as it was an affair of such importance they would take time to consider of it Well, and give me an Answer; this they have not yet done, and as you have acquainted me that your Messengers are very uneasy to return to inform the Indians of what has passed here, I must for the present defer giving you an Answer to what you then desired; but you may depend upon it, that every thing this Government engaged to do at Easton they will faithfully perform. What they are now Considering is only the method of doing it. This is my Answer to what you mentioned the other day.

"Brother Teedyuscung:

"You may remember I told you on Wednesday last, that altho' I had thankfully Answered the Messages you had brought me from the Indian Country, Yet I had something more to say to you.

"Brother:

"I think proper that our Peace Belt that I gave you the other Day should be sent with the greatest Dispatch, and in the safest Manner you can, to the Indian Towns on the Ohio, and the other Towns who have no entered into our alliance, that they may be fully informed of what has passed between us here, and the Good Work we have done. Take this my Calumet Pipe with you for our Friendly Indians to smoak out off. It is the Pipe our Old Proprietor, William Penn, smoaked in on his first Arrival into this Country, with all the Indians that then Entered into a Covenant Chain with him, and has been preserved by his Order to this Day for that good Purpose. I recommend it particularly to the Delawares, our Brethren, and their Grand Children, the Shawonese, to smoak out of it heartily, as it has now been filled with the same

good Tobacco, and they, the Delawares and Shawonese, will then remember their Mother Country, for the Ground in Pennsylvania is the Ground they came out off.

"Brother:

"You Know when they first left us they went only a Hunting, tho' at two great a Distance from us, to a Place where an Evil Spirit Reigned, where they lost themselves by the Instigation of that Evil Spirit, whose cunning and Power they could not resist.

"Brother:

"I cannot help thinking but their Thoughts must be often bent towards their Mother Country, as it is most Natural for all sorts of People to Love that Ground best from which they first Sprung.

"Brother:

"We remember very well how kindly you received our Forefathers when they first arrived in this Country. You secured their Ship to the Bushes and kindled up a fire for them; You entertained them with the Best you had, and you must remember the Mutual Friendship that subsisted between us since that time, and hope these black Clouds that came from the North will be now intirely Dispelled, as the greatest part of them already are. We shall then see one another with a great Deal of Pleasure, and the Sooner it is done the better, and I assure you nothing shall be wanting on my Part towards perfecting this good Work.

"In confirmation of which I give you This Belt.

"Brother:

"I must put you in Mind at this Opportunity of our Children that yet remain among the Indians. I should be extremely glad to see as many of them as you can possibly bring, and as you are a wise man you know that will give great Satisfaction to me, my Council, Assembly, and all the good People of this Province."

A Belt.

"Brother:

"You may remember that at first, when the Clouds were beginning to be dispelled, a little foot-Path was opened by Fort Allen to Wioming for our Messengers to pass thro' with Messages, but as now the Clouds are intirely dispelled between us and the Indians on Susqueannah, I think it necessary to Open a great Road, that is, from Diahogo and the Heads of the Susqueannah down to Fort Augusta, called by the Indians Shamokin, where you will always find a Kind reception, Entertainment, and Protection in your Road to Philadelphia."

A Belt.

N. B.—Teedyuscung expressing some dissatisfaction at this Proposal, the Governor added that it was only a proposal for him to

Consult the Indians at Wyoming upon, and then he might give an Answer after knowing their Minds.

"Brother:

"I have now done, and shall, without delay, lay before His Majesty's Commander-in-Chief and Sir William Johnson, the Gentleman appointed to transact Indian Affairs in this District, all that has passed between us, and I make no doubt but the Resolutions of the Indians with regard to the French will be very agreeable to them, and they will immediately transmit it to his Majesty, who will be exceedingly pleased."

The Governor ordered the Secretary to prepare a Draught of a Letter to Collonel Washington, or the Officer Commanding the Forces in Virginia, agreeable to Teedyuscung's Request of yesterday, and it was agreed such a Letter should be sent by express.

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MEMORANDUM.

On the Twenty-Sixth the Letter to Collonel Washington was signed and sent by express, and ordered to be entered as follows:

A Letter from Governor Denny to Collonel Washington.

"PHILADELPHIA, 25th March, 1758.

"Sir:

"Several accounts have been brought during the Winter as if there was a disposition in the Western Indians to return to their Old Friends, the English; and as there has been little or no mischief done on the Frontiers of this and the Neighbouring Provinces of late it is not unlikely but the Indians are changing every Day in our Favour.

"We have no small Confirmation of the truth of these Accounts by some Messages which have been delivered to me, a belation thereto you will find in the inclosed Paper, besides what Teedyuscung has said in Publick. From the Mouth of the Messengers who came directly from the Ohio by the Way of Diahoga they expressly declare that since the Peace Belts sent by these Indians who were formerly our Friends, have been so Kindly received by this Government, they are sure that on their receiving this News they shall be sent back immediately with an Account of their seperating from the French and coming to join our friendly Indians.

"A few Days ago letters arrived here from Winchester informing that several Parties of Cherokees were come there and were preparing to go against the French and the Indians on the Ohio; these Messengers were some how or other made acquainted with this, and

they no sooner heard it than Teedyuscung with them came in a formal Manner with the following Address:

"'Brother:

"'You must have heard that the Cherokees are come down to go to War. Now as several of our Friends who have joined with me live near, and some among the French, it is Necessary the Messenger should be sent before to tell them to seperate from the French that they may not be cut off with them.

"'Brother:

"'I would have you also dispatch a Messenger immediately to the Cherokees to inform them of what is done, and to stop them; for if any Mischief is done it will not be said the Cherokees did it, but that you have done it who hired and sent them; and this will undo all that we have done. But when the Indian Nations are informed of the Peace we have made, then all those Indians will come and join the Cherokees and be all Friends with the English, and altogether will go against the French.'

"I have reason to believe that the Cherokees hate the Delawares and Shawanese, and do not desire they should become our Friends, but would have them all destroyed, having Long born them great Enmity; so that it is a nice point how to Communicate this News to them without giving them disgust; and if any of the early Parties of the Cherokees take miff and should return disgusted they may turn back many other Parties that may be on their Way to join his Majesty's Forces.

"As this ill Consequence can, I Think, be well avoided, if prudence be observed in the Communication of this News, In Compliance with Teedyuscung's Request, I send this Express, desiring that the whole matter may be related to the Cherokees, and they be requested to have regard thereto in their Scouting Parties.

"I am persuaded there is a good Disposition in several Indian Tribes, lately our Bitter Enemies, towards the English; and as it would be a great misfortune, that they should be in any wise discouraged or disturbed, I hope you will find a way of engaging the Cherokees to attend severally, to the request made by Teedyuscung and these Indians.

"I beg the favour to know what numbers of Cherokees are already come, and how many more are expected, and in what manner they will dispose of themselves, till the Rendezvous of the King's Forces.

"I am, Sir, Your very humble Servant,

"WILLIAM DENNY."

At a Council held at Philadelphia, the 27th of March, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,	Joseph Turner,	Esquires.
Richard Peters,	Lynford Lardner,	
Benjamin Chew,	Thomas Cadwalader,	

A Return of a Court for the Tryal of Negroes, was made by the Judges, by which it appears, that at Newtown in Bucks County, a Negro Man, named Christmas, was Condemned for Burglary, and Mr. Graydon, in behalf of the Court recommended him to mercy, informing the Governor by Letter, that he was a new Negro, and could not speak to be understood in his Defence.

All the Council were unanimous, that he was a proper Object of the Governor's Mercy, and the Secretary was ordered to make out a pardon for him, but not to deliver it till the Negroe's Master engaged to have him transported to some other Country.

A Letter from Captain Christopher Atkins, dated the 24th Instant, on Board the Charming Polly, armed Sloops, lying at Reedy Island, was read in these Words:

"Charming Polly, Arm'd Sloop,
"Lying at Reedy Island, Philadelphia River,
"the 24th of March, 1758.

"Sir:

"Agreeable to my directions from Commodore Durell, Esqr., Commander-in-Chief of his Majesty's Ships and Vessels in North America, I am to acquaint you of my Arrival in the Above Sloop, under my Command, to inforce the Embargo on the Shipping of this Port, at the same time with my Compliments, as a King's Officer, and am with all due respect,

"Sir, Your most Obedient and very Humble Servant,

"CHRISTOPHER ATKINS.

"P. S.—Since I wrote this I have met with three or four sail of Vessels in the Bay of Delaware, Outward bound to different Parts; one ship bound to Teneriff, One Brig to Antigua, Sturgis, Master, an other Brig to Halifax, and a Schooner to Jamaica, Hugh Wright, Master, all which Vessels I have brought back with me to Reedy Island, where I intend to detain them till I hear your Orders.

"Must further beg leave to acquaint your Excellency that the General and Commodore at New York are very strict in inforcing the Embargo and preventing Vessels from eluding it; they having sent for two Privateers up, and Several Merchant Vessels who were Loading at the Watering Place.

"By General Abercrombie's Directions, Collonel Haldiman has a Copy of my Orders."

And whilst the Letter was reading a Petition was presented to the Governor in Council by William Fisher, Redmond Canyngham, John Nesbitt, and Amos Strettell, setting forth the Difficulties they laboured under in not having their Vessels permitted to proceed on their Voyages, they having been cleared and sailed before the Embargo was laid. With these Petitions came Mr. Thomas Willing, Samuel Carson, Mr. Williams, and Captain Blair, who, as Well as the petitioners, made Application to the Governor for an Order to Mr. Atkins to suffer their Vessels to proceed on their Voyages, all having been cleared and sailed before the Embargo.

The Matter being considered, the Council were unanimously of Opinion that these Vessels could not Legally be stopped, and advised the Governor to recommend it to Mr. Atkins immediately to discharge them, that they might proceed to their respective Ports; and the Governor wrote to the Officer accordingly.

The Governor received Two Letters from General Forbes, the one dated the twentieth, the other the twenty-third Instant, both which were read and ordered to be entered:

A Letter from General Forbes to Governor Denny.

"Sir:

"I have the favour of yours of the 17th, and make no manner of doubt of your doing of every thing in your Power in forwarding His Majesty's Service, and therefore must beg that the Officers and Soldiers raised in Pennsylvania for the Service are Able Bodied good Men, capable of enduring fatigue, and that their Arms be the best that can be found in the Province; As Carpenters and Axe Men are absolutely necessary upon Many Occasions, I must recommend the sending as many of those as can be conveniently got into the Troops.

"And likewise that the Province will raise fifty good Men, well mounted upon light Serviceable Horses, and every way accoutred to serve in Conjunction with those to be furnished by the other Provinces as a Body of Light Horse, from whom I expect very Important Service.

"As the Roads from Lancaster to Williams' Ferry upon the Potomack may want considerable repairs and widening of them for the Carriages of Cannon, &c^{a}, I have therefore wrote to the Governor of Maryland for that Purpose, In order that those roads may be repaired by the Inhabitants of the 2 Provinces of Pennsylvania and Maryland, living near those parts.

"As I propose Assembling the Regular Troops, and those of Pennsylvania, at Conegochieque, about the 20th of April; You will therefore give Orders for all Manner of Diligence to be used in

raising the Numbers that your Province is to send, who shall be payed at the rate of 4 pence ℔ Diem, in lieu of provisions from the time they begin their March; until that they are furnished with Provisions from the King's Stores.

"I am informed that the Inhabitants upon the Frontiers of your Province being much used to hunting in the Woods, would consequently make good Rangers, In which case I am to beg you will give your direction for the forming some of your properest Men into Companys of Rangers with good Officers, who are well acquainted with the Country, to Command them.

"If it could possibly be contrived to find some Intelligent Person who would venture up to the Ohio, either as a Merchant or a Deserter, & would bring us Intelligence what was going on in those parts, I should certainly reward him handsomely. Perhaps such a one might be found in some of your Provincial Companies up a Fort Loudoun, &c^a., &c^a.

"I should be obliged to you if you will give orders to send me some Account of what provincial Troops you have now on Foot, and where they are for the present, as likewise what Numbers (in the whole) your Province is to raise for the Service of the present Year.

"I must beg the favour that you will Order your Secretary to send the Inclosed Packett by an Express to Virginia, And I shall have the Honour to be with great regard, Sir,

"Your Most Obedient & most humble Servant,

"JO. FFORBES.

"New York, March 20th, 1758.

"P. S.—I have this moment an Express from Fort Edward, acquainting me of One of your Scouting Parties of 180 Men having been attacked by a Thousand of the Enemy's Indians, Canadians, &c^a., near Tionderoga, in which we have lost 130 Men; the Party behaved most Gallantly, but were overpowered by Numbers."

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Another Letter from General Forbes to Governor Denny.

"Sir:

"As there will be a Number of Waggons and Carriages wanted in the Province of Pennsylvania, and as the Inhabitants may be backward in furnishing of them, altho' to be payed for them with ready Money, I therefore take this Opportunity of letting you know that Press Warrants will be necessary all over the Province, In order that if you are not vested with the Power to grant such Warrants, that you will apply to the Assembly to grant theirs, and fix

prices upon the Different Carriages and Horses. I have the Honour to be, Sir,

"Your most Obedient and most humble Servant,

"JO. FFORBES.

"New York, March 23d."

The Council taking the within Letters into Consideration, it was agreed that Extracts of the said Letters should be sent to the House, and a Message to the Assembly was drawn at the Table, and agreed to, and the Secretary ordered to deliver it with the Extracts.

The Secretary was directed to make a fair Copy of the Indian Minutes of the Twenty-Fifth, and carry them to the House, with the following Message, But Mr. Peters acquainting the Governor that a Quorum of the House had not met, the Messages were ordered to be dated on the Twenty-Eighth, and entered:

A Message from the Governor to the Assembly.

"Gentlemen:

"I have ordered the Secretary to lay before you Extracts of Letters I lately received from Brigadier General Forbes, containing Demands of several important Matters to be done by this Province for the facilitating and forwarding the Expedition to the Westward, and earnestly recommend it to you to take the same into your Consideration, and make Speedy Provision for this necessary Service. The Mayor has acquainted me that Quarters are demanded for One Thousand and Seventy-two Men, including Forty Officers, of which Two Hundred and Twelve are already in Town, and the rest expected in a Day or two. As the Publick Houses in the City and Suburbs cannot at most contain more than Six Hundred, I desire you would be pleased to give Directions that the Barracks be forthwith made ready, and furnished with such necessaries as are required in Quarters, and particularly that a proper quantity of Straw and Wood be ready against the Arrival of the other Troops.

"Some time ago I desired one of your Members to acquaint the House that the Act for Quartering of Soldiers would expire at the end of this Sessions, that it Might be renewed, and I now remind you that this is the Case with respect to the Act for regulating Carriages to be employed in his Majesty's Service. A Number of Waggons will be wanted for the expedition, which will make it necessary for you to fix the Prices of Carriages and Horses, without confining the Hire, as in the late Act, to the inhabited Parts of the Province, or limiting it to a Day or any certain Time.

Many of the Arms given to the provincials being very bad and unfit for use, I propose to Supply them out of the Publick Magazine in this City, and desire you would make provision for the Expence that will attend the Carriage of them.

"WILLIAM DENNY.

"March 28, 1758."

A Message from the Governor to the Assembly.

"Gentlemen:

"Before I received your Message of the Twenty-fourth Instant, in Answer to mine of the Day before, I intended to have spoke to Teedyuscung, and to have taken my leave of him in Publick, but on his acquainting me that the Messengers had heard of the Arrival of some Parties of Cherokee Warriors in Virginia, and were uneasy to be dispatched, that they might put the Indians who sent them on their Guard with respect to these parties, I did not think it proper to detain them for a formal Conference, but gave them my Answer as soon as it could be got ready.

"You will see by the Minutes now laid before you that I reminded Teedyuscung of the Prisoners remaining among the Indians, assuring him it would give great Satisfaction to me, the Council, Assembly, and all the People of the Province, to see as many of them brought here as was possible. This I said in the presence of the Messengers and other Indians.

"To himself much more was said, intending it should likewise be said in their presence; but he advised me to the Contrary, telling me, that the Messengers would return instantly with agreeable Answers from the Indians, and till then, no more need be said, and it would do more harm than Good.

"No Opportunity has offered since the Treaty of Easton, for my taking any Measures respecting the restoring of the Prisoners, more than reminding Teedyuscung of his engagements on this Account, which I have not failed frequently to do, tho' not formally, as that would have answered no Purpose. The very first Opportunity that Offers with these, or any other Indians, shall be very heartily embraced, and the matter urged upon them with all the Zeal and Care in my power.

"Not knowing how far an Invitation to the Chiefs of these eight Tribes of Indians, who, it seems, lives at great Distances from one another, might interfere with the Measures taken by his Majesty's Commander-in-Chief, or Sir William Johnson, the Superintendant of Indian affairs in this District, I have not ventured to make it, but have transmitted to the General Copies of the Conferences and of your Message, and mentioned the advantages that would arise from such Invitation, desiring his advice therein.

"I have likewise dispatched a Messenger to Colonel Washington, or the Commanding Officer of the Virginia Forces, at Winchester, with an account of these Conferences, and the good Disposition of the Indians, and desired it might be forthwith Communicated to the Cherokees, and they be requested to have regard thereto, in their future Excursions.

"WILLIAM DENNY.

"March 28th, 1758."

MEMORANDUM.

On the Twenty-Ninth, the Governor, by the Secretary, sent down a verbal Message to the House, that Colonel Halderman had waited on his Honour, and requested an Hospital for a Number of Sick Soldiers, ordered to this City; Twenty-Five of whom, are already arrived and in immediate want thereof, and the rest expected to-morrow. Also, Quarters for a Body of his Majesty's Troops, coming here in a few Days, whom all the Publick Houses in the City and Suberbs have not sufficient Room to accomodate. That his Honour had applied to the Mayor to provide an Hospital for the said purpose; but he being unable to procure the same, the Governor now recommends the provision of one to the House, and that they would also give orders, to have the Barracks made ready, and furnished with proper Quantities of Straw and Wood, for Quartering the said Troops.

And on the same Day Two Members from the House waited on the Governor with the following verbal Message that the House desirous that the Waggons and Carriages which may be expected of this Province by his Majesty's Commander-in-Chief, for carrying on and facilitating the Expedition to the Westward, should be procured in due Time, and with as much ease and Conveniency to the Inhabitants as possible, recommend it to the Governor to write to Brigadier General Forbes, that he may acquaint the Governor in Time with the Number of Waggons, Carriages, and Horses, that will be wanted, and that his Honour would, as Soon as Notice be given to him thereof, take the Necessary Steps, and employ such persons, who, from their Weight and Influence with the People, can procure them with Expedition, and will cheerfully undertake that Service, if requested by the Governor.

To which the Governor was pleased to say, that he could not tell what Number of Carriages and Horses might be wanted for the Expedition to the Westward but he would write to General Forbes by the first Opportunity.

At a Council held at Philadelphia, the 31st of March, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,	Joseph Turner,	Esquires.
Richard Peters,	Benjamin Chew,	
John Mifflin,	Thomas Cadwalader,	

The Governor informed the Board that on the Twenty Ninth Two Members waited on him with a Bill Entitled "An Act for

granting to his Majesty the sum of One hundred thousand Pounds & for striking the same in Bills of Credit in the manner hereinafter directed and for providing a Fund for sinking the said Bills of Credit, by a Tax on all the Estates, Real and Personal, and Taxables within this Province," which was read, and Mr. Peters and Mr. Chew were appointed to examine the Proprietary Instructions and Letters on the Subject with the former Messages, and to make Report thereon and upon the Bill against to-morrow Morning. Extracts of Proprietary Letters to Mr. Peters were read and delivered to the Committee.

The Governor declared he would not do Business with the late Provincial Commissioners, and was surprized to find that their Names were inserted in the Supply Bill after what he had said in his Message of the Twentieth; He said it looked as if the Assembly had a mind to affront him and to throw this in the way that the Bill might not Pass, as they might well think the Governor would not consent to their appointment, he gave particular reasons for his refusal which were taken down by the Secretary and he desired they might be mentioned in the Message.

It was unanimously agreed that the parts relating to the Proprietary Estates should be struck out of the Bill, and an Offer made to the Assembly to have the Proprietary Estate taxed in a seperate Bill in which Commissioners were named and agreed on.

It was further thought proper that their should be two Setts of Duplicates of the Assesments made, one of which to be delivered to the Governor and the other to the House.

Mr. Chew and Mr. Peters were desired to prepare a Message, and the Amendment agreeable to the Sentiments of the Governor and Council, against to-morrow morning, to which Time the Council adjourned.

A Bill was presented last Night by two Members to the Governor for his Concurrence, Entituled "An Act for regulating the Officers and Soldiers Commissionated and raised by the Governor for the Defence of this Province," was read, and being found to be the same, except a very small necessary alteration, with the Act passed in the last year, it was agreed to, and ordered to be returned to the House with a Message that the Governor would pass it.

Another Bill Entituled "An Act for Extending several Sections of an Act of Parliament passed in the Thirtieth Year of the present Reign, Entituled 'An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters,'" presented last Night to the Governor, was read & Amended.

The Governor informed the Council that Colonel Haldeman had Acquainted him that the Owners of the Ship King of Prussia and the Brig Concord, which were taken into the Transport Service had nailed down Hatches and discharged their Captains, and he desired

the Governor's Advice and Assistance. After reading what was in the Books on this Subject, and Considering the Matter, the Secretary was directed to let Colonel Haldyman know the steps necessary to be taken.

At a Council held at Philadelphia, Saturday the 1st of April, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell, Benjamin Shoemaker, } Esquires,
Richard Peters, Thomas Cadwalader, }

The Governor laid before the Board a Message from the Assembly presented last Night by Two Members, which was read and ordered to be entered as follows:

A Message from the Assembly to the Governor.

"May it please your Honour:

"The House taking into their Consideration your Honour's Message of the Twenty-Eighth Instant, and the request made by Brigadier General Forbes, and being sincerely desirous that every Measure may be taken that may tend to Expedite and facilitate the important Operations now carrying on against our common Enemy, beg leave to recommend it to your Honour that you would Comply with the General's request in furnishing him with fifty good Men, well Mounted on tight Serviceable Horses, out of the Men directed to be raised by the Bill now before you, and that you would forthwith issue your Orders to the Sheriffs of the Several Counties, directing them to give Notice to the Overseers of the Roads where the King's Troops are Likely to March, to amend such of them as are in the interior Parts of the Province, and to Widen and repair the Road from Lancaster, leading towards Williams' Ferry on Potomack, fit for the Carriages of Cannon, &c^{a}, agreeable to the General's Directions; and that the same may be done in Time, we apprehend it will be expedient that Orders should be given to a proper Number of the Troops in the pay of the Province, to assist in this necessary Work, in the County of Cumberland, as many of its Inhabitants have been driven from their Plantations; And with respect to Carpenters and Axe-Men, we are informed there are many among the men already in the Province Service, but should it, on Enquiry, prove otherwise, we doubt not your Honour will take the Necessary Steps to procure them.

"We have now before us a Bill for regulating the Hire of

Carriages, which we expect will be presented to-morrow to your Honour for your approbation.

"Signed by Order of the House.

"THOMAS LEECH, Speaker.

"March 31st, 1758."

Mr. Peters acquainted the Governor and Council that Mr. Chew was necessarily engaged in striking some Juries against the next Supreme Court, but that the Committee had considered what was delivered them in charge, and had drawn up a paper expressing their Sentiments on the Occasion, which was read, together with the Supply Bill.

The Governor repeated what he had said at last Council, and insisted that the Reasons of his Objections to the Commissioners should be set forth at Large in the Message, and the Council agreeing to it, Mr. Peters was desired to let Mr. Chew know this, that the Message might be framed accordingly.

At a Council held at Philadelphia, Monday the 3d of April, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,	Joseph Turner,	Esquires.
Richard Peters,	Benjamin Chew,	
John Mifflin,	Thomas Cadwalader,	

The Minutes of the preceding Councils were read and approved.

A Message and Amendments of the Supply Bill having been prepared, the same were read and with some Alterations agreed to, and the Secretary was ordered to deliver them to night to the House.

Mr. Mifflin declared that the Charges laid against the Commissioners in the Message were true, and that the Proofs would be very clear.

A Message from the Governor to the Assembly.

"Gentlemen:

"I have considered the Bill for granting to his Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit, and for Providing a Fund for sinking the said Bills of Credit by a Tax on all Estates real and personal, and Taxables within this Province, and have given it all the Dispatch, which the Length and Importance of it would admit of, and now return the Bill to you, with a few Amendments.

"You will find that I have struck out such parts as relate to the assenting and Taxing the Proprietary Estate in Common, and in the same mode with the rest of the Inhabitants of this Province. You are not, however, to understand by this that I mean, or wish to exempt their Estate from being taxed. This is what they themselves do not desire. On the Contrary, they are willing that every Tract of Land within the Province, surveyed and appropriated for their use, should bear an equal and proportionable share of any Burthens that may be imposed on the People in the necessary Defence of this and His Majesty's other Colonies. By the Bill the Estates of the People are to be rated and assessed by Assessors elected by them for that Purpose.

"This mode you think a very equitable one, and that it would be unreasonable that the People should be taxed by any others than such as they chuse and approve of. I conceive, Gentlemen, the same Justice is due to your Proprietaries, and that it would be equally unreasonable their Estate should be assessed and valued by Persons, in whose Nomination, or Appointment, they, or their Deputy, have not the least Share, This would be to exclude them from the Rights and Advantages you think ought to be granted to the meanest of His Majesty's Subjects. I should have Amended the Bill on the above plan with regard to the Taxation of the Proprietary Estate, and propose Commissioners to be inserted for that Purpose, had I not been apprehensive that it might have retarded the passing it at a Time, when our Duty to our gracious Sovereign, ourselves, and our Country, require it should not be delayed a Single Moment. But I now offer you that, if a seperate Bill of this sort is approved of by you, I will, on my part, chearfully concur with you in it.

"Having, in my Message to you of the Twentieth of last Month, relating to the laying a Duty on Tonnage, &c[a]. objected to five of the Commissioners named therein, and declared to you that they had on several Occasions heretofore, in the Course of their Conduct as Provincial Commissioners, treated me with so much Disregard, that it was impossible I could for the future transact any Business with them, I cannot but express my Astonishment to find that they are, notwithstanding, named as Commissioners in this Bill. I would fain hope, Gentlemen, this was not intended to obstruct the passing a Bill so necessary at this critical Juncture. It is with great Reluctance I am once more obliged to inform you that I never can consent to their being again appointed Provincial Commissioners. Besides their Extraordinary Behaviour towards me, and the strong Objections I have often urged against appointing any of your own Members to be Commissioners, I must acquaint you that they, on several Occasions, have laid out and expended divers Sums of the Money heretofore given, by Act of the Legislature, to His Majesty's use, without previously obtaining my

Consent, or even consulting me, which was a manifest Violation of their Trust, and expressly contrary to the Directions of the Law. They have, moreover, had meetings among themselves without Summoning or giving Notice to Mr. Lardner and Mr. Mifflin, their Brother Commissioners, who are first named in the Law, and had equal Power and Trust with them. They have likewise neglected to inform me of the state of their Accounts, or how they have applied the King's Money, though I long since demanded it of them; so that I know not to this Day in what manner it has been expended, or what New Contracts may have been made by them. At the late Treaty held at Easton, wherein Peace was concluded with the Indians, being informed that they had bought, with the money given for His Majesty's Use, a parcel of Goods and brought them to that Place to be disposed of in presents to the Indians, I demanded of them a List of such Goods, and the amount of them, that I might be enabled therefrom to form a better Judgment how to conduct myself towards the Indians, or what expectations to give them on an Occasion so interesting to his Majesty and this Province; in Answer to which they were pleased to tell me that they would in due time prepare and lay before me a List of such Goods. This, however, was delayed a long Time, and was all the Satisfaction I could obtain from them, till after the Conclusion of the Treaty. Under these Circumstances, I should be inexcusable to his Majesty and the Publick in vesting with new Powers Persons who in so many Instances have acted in direct Opposition to their Duty prescribed by the Law by which they were appointed. I am therefore under the disagreeable Necessity, Gentlemen, of insisting that you insert in the Bill some other Persons in their stead, well qualified for so high a Trust, which, in so populous a Country as this is, I presume you can be at no Loss to do.

"I shall have regard to the General's Request of furnishing him with Fifty Light Horse out of the Men directed to be raised by the Bill, as soon as that Bill shall be passed into a Law, and hope you will give it all possible Dispatch, as the Season for Action is advancing very fast. The several Matters requested by you in your Message of the Thirty-first of last Month shall have my Particular Attention.

"WILLIAM DENNY.

"April 3d, 1758."

"Amendments to the Bill Entituled 'An Act for granting His Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the Manner hereinafter directed, and for providing a Fund for Sinking the said Bills of Credit by a Tax on all the Estates, Real and personal, and Taxables within this Province.'

"Page 4, Line 4. Dele the Word [not].

"Page 12, Line 1st, 2d, & 3d. Dele the Words [what quit-rents they respectively are liable to pay to the Proprietaries Yearly within this Province].

"Same Page, Line 10th, 11th, & 12th. Dele the Words [and also an Account of all such located Lands as belong to the Honourable the Proprietaries of this Province, or either of them].

"Page 17th, Line 9. After the Word [cause] insert the Word [Two].

"Page 18, Line 4. Dele the Word [all] and instead thereof insert the Words [One of].

"Page 18, Line 5. Between the Word [before] and the Words [Assembly] insert the Words [the Governor, and the other before].

"Page 33 & 34. Dele the Words [Joseph Fox, John Hughes, William Masters], in the last line of the 33d Page, and the Words [Joseph Galloway and John Baynton, Esquires], in the First Line of the 34th Page.

"Page 34, Penult Line 8, last Line. Dele the Words [Joseph Fox, John Hughes, William Masters, Joseph Galloway, and John Baynton.]

"Page 36, Line 3d. Dele the Words [with the Consent of the Governor] He not having received from the Commissioners a State of their Accounts."

The Bill extending the Sections of the Act of Parliament for Mutiny and Desertion was ordered to be delivered to the House with One Amendment, vizt:

"Page 4, Line 10. After the Word [shall] read [by a certificate returned to the Mayor of the City under the Hand of the Commanding Officer of His Majesty's Regular Forces for the Time being within the said City of Philadelphia appear to]," and the Bill for the Regulation of the Officers likewise, with a Verbal Message that the Governor would pass the said Bills whenever the House presented them to him for that Purpose.

A Bill Entituled "An Act to regulate the Hire of Carriages to be employed in his Majesty's Service," presented to the Governor last Saturday by Two Members for his Concurrence, was read, and the Secretary was directed to Consult Sir John St. Clair, who was expected in Town to-day, on the said Bill.

The following letter from General Abercrombie was read and ordered to be entered:

A Letter from General Abercrombie to Governor Denny.

"New York, March 27th, 1758.

"Sir:

"I was yesterday favour'd with your's of the 22d acquainting me

that since the Embargo had been laid you had not been permitted any Vessels to Sail except such as are loaded by the Contractors for the use of His Majesty's Squadrons in America & the West Indias, and the Garrison at Halifax. If none of the Vessels under these Circumstances are yet sail'd I must beg that you will detain them untill such time as there be a proper Convoy Appointed to take them in Charge, otherwise they may fall into the Enemies hands, from whence much worse Consequences must ensue than by their being detain'd so short Time; besides, the Contractors are willing and desirous to wait for this Convoy.

I shall wait with Impatience for the Answer of your Assembly, which I hope will Correspond with their Message to you of the 14th. I return you thanks for the List of the Ships and Vessels in your Port, And am, with great regard,

"Sir, Your Most Obedient Humble Servant,

"JAMES ABERCROMBIE."

At a Council held at Philadelphia, Thursday the 6th of April, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Richard Peters,	Benjamin Chew,	
John Mifflin,	Thomas Cadwalader,	

The Minutes of the preceding Council were read and approved.

The Governor informed the Council that yesterday afternoon the supply Bill was returned to him by Two Members, with a Verbal Message that they were Commanded by the House to acquaint His Honour that the House adhered to the Bill; On which the Governor desired the Advice of Council; the Proprietary Instructions, the Governor's Message, with the Bill and Sundry other Messages were consulted, and after long Consideration it was unanimously agreed that they should be returned, with a Message setting forth the Governor's Surprize that the Offer made to concur with the Assembly in Taxing the Proprietary Estate by Commissioners, to be nominated on both sides, was rejected; That he would pass a Bill formed in the same Manner as the supply Bills were formed since the Contest began about taxing the Proprietary Estate, and to remind the Assembly that he had called upon them in October, January, and again in March, on receiving the Secretary of State's Letter to raise the Supplies, and with such a Message the Council advised the Governor to adhere to his Amendments. Accordingly, Instructions were given to Mr. Chew and Mr. Peters to prepare such Message, to be sent to-morrow morning, with the Bill, to the House.

An Indian Trade Bill having been presented to the Governor yesterday by Two Members, the same was read, and the House having had a regard to the Amendments proposed to former Bills for the Indian Trade, and none of the Commissioners named being Members of the House, the Council advised the Governor to pass it if he was satisfied that the Thousand Pounds, said to be laid out for Indian Goods, were actually laid out, and the Goods sent to Mr. John Carson, Agent, at Fort Augusta; accordingly, the Secretary was ordered to return the Bill to the House, with a Verbal Message, that the Governor would Pass it so soon as he should be satisfied the Thousand Pounds were laid out. The Bill for punishing Mutiny and desertion was likewise delivered to the Governor with an Amendment.

The following Letter from Sir John St. Clair was read, ordered to be entered, and laid before the House:

"PHILADELPHIA, April 5th, 1758.

"Sir:

"As the Season of the Year is so far advanced, no manner of stop ought to be made which might retard our Military Operations, and as so much depends on Conveying quick Intelligence from one place to another throughout the Colonies, The Commanding General of his Majesty's Forces has ordered me to make Application to your Honour, that you may give such directions as shall seem proper to you for Establishing two good Horses at each of the following Stations, vizt: Trenton Ferry, Philadelphia, New Castle, Dover, Lancaster, & York. I have made application to the other Governors, that the same may be done all over the Provinces. As this requires immediate Dispatch, I must entreat your Answer as soon as possible. I am, with the Greatest respect,

"Your Honour's most Obedient and most Humble Servant,

"JOHN ST. CLAIR.

"P. S.—I hope the Post thro' Carlisle to Winchester will be continued."

Sir John St. Clair and Colonel Haldiman made grievous Complaints about the ill Accomodation of the Forces in the Barracks; and Sir John said he had no Objection to the passing the Waggon Bill, tho' it might have been better drawn.

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MEMORANDUM.

On the Sixth, at Night, Two Members of the House waited on the Governor with the following Message:

A Message to the Governor from the Assembly.

"May it please your Honour:

"Upon considering the Request made by Sir John St. Clair to

your Honour, that you would establish two good Horses at Trenton Ferry, Philadelphia, New Castle, Dover, Lancaster, and York, we think it so reasonable and necessary for his Majesty's Service, that we earnestly request the Governor to take the proper Measures to comply therewith at the several Places within this Government. To defray the Expence of this and other necessary Transactions for the King's Service, a Bill now lies before your Honour for your concurrence, to which we earnestly desire the Governor's Assent, as the Season for military Operations advances fast.

"Signed by order of the House.

"THOMAS LEECH, Speaker."

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MEMORANDUM.

On the Seventh the Governor, by the Secretary, sent down to the House the Bill for regulating the Hire of Carriages, with a Verbal Message that he was ready to pass the same when presented to him for that purpose. The Secretary was likewise directed to return the supply Bill to the House, and to acquaint the House the Governor adhered to his Amendments. That his Honour had summoned the Assembly of the Lower Counties to meet on Monday next at New Castle, where his Presence would be required. At the same Time the Secretary was ordered to deliver to the House the following Message:

A Message from the Governor to the Assembly.

"Gentlemen:

"I received Yesterday, by two of your Members, the Bill for granting to His Majesty the sum of One hundred Thousand Pounds, &c^a^, with a verbal Message that the House adhered to the Bill, which is all the Notice you have been pleased to take of the Amendments, or my Message of the Third Instant, sent with them. When I reflect that the wise and vigorous Measures formed by our most gracious Sovereign for the protection of his Subjects in these Colonies must be defeated, and thereby this and the neighbouring Provinces again be exposed to the cruel Incursions of our merciless Enemies, unless the supplies demanded of each Government for carrying into Execution the Plan of Operations concerted by his Majesty are granted, I cannot but be greatly concerned that a Bill so important in its Consequences should be obstructed or meet with the least Delay. Give me Leave to observe to you, Gentlemen, that the Taxation of the Proprietary Estate hath already been the Subject of much Altercation, in which a great deal of precious Time has been lost. To sollicit and bring this unhappy Contest to a final Decision befor our Superiors, An Agent hath been appointed and sent Home, on the part of the Assembly, and in the mean

Time the Dispute hath been permitted to sleep, and a supply Bill passed by the Legislature, wherein the Proprietary Estate hath been altogether exempted. This being the Case, I was not a little surprized to find a Foundation laid for new Debates by a clause inserted in the above Bill for taxing the Proprietaries, and that too at a Time when Unanimity and Vigor in our Councils are so absolutely necessary. Permit me to remind you, Gentlemen, that our indispensable Duty to the best of Kings, a regard to our own Interest, and every Motive that can actuate British Subjects and Lovers of their Country, demand it of us on the present Occasion, to bury or at least Suspend all former Heats, and to guard against every thing that can possibly impede the vigorous Efforts His Majesty is determined to make against His Enemies the Ensuing Campaign, on the Success of which the very being of this Province may depend. That nothing might be wanting on my part, I have offered every thing in my power consistent with my Duty. So far from being desirous to exempt the Proprietary Estate from bearing a Share in the Publick Burthen, I proposed to you in my last Message to concur with you in taxing all the located and appropriated Tracts, provided Commissioners were appointed in the Bill for that purpose, such as should be approved of by both of us; and I intended if any Difficulties should arise about the Commissioners further to propose that an equal Number should be nominated by you and me. This was a proposal so equitable that I did not doubt your Acceptance of it; and I am at a loss to know what reasons could move you to reject it. I once more make you the like offer, and hope on Considering the Matter you will either concur with me in it or suffer the Bill to pass as others of the like Kind heretofore have, exempting the Proprietary Estate till the point is settled and adjourned on the other side of the Water. It would be very disagreeable to me to enumerate the Reasons I gave you in my former Message for Objecting to five of the Persons named in the Bill for provincial Commissioners; they are so strong and full that it is unnecessary to say any thing in Support of them. I cannot help Lamenting it, however, as a Publick Misfortune, that you did not turn your Attention to the raising Supplies for the Service of the current year before the Season was so far advanced. You must do me the Justice to acknowledge that I have not failed frequently to put you in mind of the necessity of making such timely Provision. I pressed you on this Subject in my Message to you of the Seventeenth of October last, at your first Meeting, and at your next meeting, in My Messages of the Third, the Thirteenth, and Twenty-fourth of January, and Eighth of March, when I laid before you the Letter I received from His Majesty's principal Secretary of State. It may not yet be too late to exert ourselves and do every thing incumbent on us to comply with His Majesty's just and reasonable Demands. But if any charge of Delay should be imputed

to this Province it is a great Satisfaction to me that no part of the Censure can justly lie at my Door.

"WILLIAM DENNY.

"April 7th, 1758."

At a Council held at the State House, Saturday the 8th Day of April, 1758, P. M.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

Robert Strettell, Joseph Turner, } Esquires.
Richard Peters, Lynford Lardner, }

Three Bills were compared by Mr. Peters and Two Members of Assembly, and found to agree, Viz^t: "An Act for regulating the Hire of Carriages to be employed in His Majesty's Service;" "An Act for regulating the Officers and Soldiers Commissionated and raised by the Governor for the Defence of this Province;" and "An Act Entituled 'An Act for Preventing Abuses in the Indian Trade, for supplying the Indians, Friends and Allies of Great Britain, with Goods at more easy Rates, and for securing and strengthening the Peace and Friendship lately concluded with the Indians inhabiting the Northern and Western Frontiers of this Province.'"

The Governor having this morning received a Remonstrance from the House with the Supply Bill, the same was read and ordered to be entered as follows:

"May it Please your Honour:

"We, His Majesty's most Dutiful, faithful, and Loyal Subjects, the Representatives of the People of this Province, in General Assembly met, do hereby earnestly remonstrate to your Honour,

"That on the Eighteenth of March your Honour laid before us a Letter from General Abercrombie, containing the first Notice we had of the Number of Troops that was expected from these Colonies, and in a few Days after we resolved to furnish and Pay as large a proportion of Men as this Province could possibly Supply, Thirteen Hundred whereof are now ready to Join the King's Forces, and on the Twenty-ninth of the same Month we presented to your Honour a Bill granting One Hundred Thousand Pounds to the King's Use for this Purpose, which you have thought proper twice to reject, notwithstanding the Season for Military Operations is so far advanced that His Majesty's Service must be greatly injured and retarded thereby.

"That the mode proposed by your Honour of taxing the Proprietary Estate is without Precedent in our Mother Country, anti-con-

stitutional, and inconsistent with the Rights of the people; That His Majesty and the Peers of the Realm of Great Britain do not insist upon a Right of appointing Commissioners with the other Branch of the Legislature for taxing their Estates, but, on the Contrary, have wholly left to the Commons the Right of nominating Commissioners in their Supply Bills, which admit of no Amendments, and, therefore, we can only Look on this proposal as calculated to exempt the Proprietary Estate from bearing an equal and Just proportion of the Necessary Taxes at this critical and important Juncture, contrary to Justice and Equity.

"That we have, from a spirit of Loyalty and Gratitude to the best of Sovereigns, in Pursuance of his most gracious and paternal Requisition, at a Time when the People are labouring under an heavy Burthen of Taxes, agreed to furnish and pay Two Thousand Seven Hundred Men, in order to assist his Majesty's regular Troops in the Offensive Operations He is resolved to prosecute for the Defence of this and his other Colonies; and to enable your Honour to discharge your Duty herein to the Crown, we have presented a Bill, granting One Hundred Thousand Pounds to his Majesty's Use, for this purpose.

"That the Right of granting Supplies to the Crown is in the Representatives of the People alone, as an essential part of our Constitution, and that the Bill is framed agreeable to Justice and Equity in all its Parts, as well with respect to the Proprietaries as other, and not repugnent to the Laws of our Mother Country, but as nearly agreeable thereto as our different Circumstances will admit.

"That as the Bill presented to your Honour was a free gift of the People of this Province to the Crown, at the Special Request of His Majesty, for the General Defence of America, we apprehend that the Governor's refusing to permit us thereby to grant Supplies for the Defence and protection of the Colonies, unless we exompt the Proprietary Estate from paying its just proportion, is inconsistent with his Duty to the Crown, the Height of Injustice, Ingratitude to the best of Kings, and an arbitrary invasion of the Rights of the People.

"The House is resolved to adhere to the Bill, and preserve their own and the Rights of their Constituents, and therefore they once more present this Bill to your Honour, for your assent; and, in the name of our most gracious Sovereign, and the Distressed and Oppressed People we Represent, we insist that your Honour accept of the Number of Men granted, and the Supplies offered to the Crown for raising and paying them, and give your assent to the Bill we now present, as you shall answer the rejecting so considerable an Aid, in the present important Operations, to His Majesty and His Parliament.

"Signed by Order of the House.

"THOMAS LEECH, Speaker.

"April 8th, 1758."

The Secretary was sent to the House with the Supply Bill, and the following verbal Message to the House that "the Governor returns the Bill, intituled 'An act for granting to His Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the Manner herein after directed, and for providing a Fund for sinking the said Bills of Credit, by a Tax on all the Estates, real and personal, and taxables within this Province;' and Commands me to acquaint the House, that he will not pass it, for the reasons given in his Messages; but adheres to his Amendments, with the unanimous Advice of his Council, and that he will transmit to His Majesty a Copy of the Bill, with his Reasons for rejecting it."

The Bill Entituled "An Act extending the several Sections of the Act of Parliament for Punishing Mutiny and Desertion," having been laid before Colonel Haldiman and Sir John St. Clair yesterday, and they were desired to Visit the Barracks and give their opinion if they could hold Twelve Men in each Barracks. Colonel Haldiman and Sir John St. Clair with Colonel Fletcher waited on the Governor, and Colonel Haldiman delivered the Governor a Letter wherein he set forth that no more than Eight Men could conveniently be put into one Room in the Barracks. And the Bill when sent up again to the Governor was altered, the Word Twelve being interlined in the Eleventh Line of the Fourth Page, and likewise the Words Each of Seven in the next line; whereupon the Governor yesterday sent to the House Colonel Haldiman's Letter with the following verbal Message: "that the Governor returns the Bill Entituled 'An Act for extending several Sections of an Act of Parliament passed in the Thirtieth Year of the present Reign, entituled 'An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters,'' and observes that it is not the same which was presented to him at first, and will pass it if the Word [Eight] be inserted instead of the Word [Twelve] in Page 4, Line 11, as Colonel Haldiman has declared to his Honour that no more can conveniently be put into one Room without endangering the Health of the Soldiers."

The Bill was returned the same Day by the House with a Verbal Message that the House desired of the Governor that Ten might be inserted instead of Eight for each Room; whereupon his Honour sent the Request to Colonel Haldiman, and received a Letter insisting that the Rooms in the Barracks will not accomodate more than Eight in each without endangering the Lives of the King's Troops. Which Letter was sent to the House with the Bill and a verbal Message that the Governor adhered to his Amendments.

The Assembly having sent a Message to the Governor that the Bills to which he had given his Assent would be engrossed and ready to be passed at Four o'Clock this afternoon, the Secretary was directed to acquaint the House that the Governor required the At-

tendance of the Speaker and the House in the Council Chamber, and the Speaker, with the House attending, Three Bills, One Entituled "An Act for preventing Abuses in the Indian Trade, for supplying the Indians, Friends and Allies of Great Britain, with Goods at more easy Rates, and for securing and Strengthening the Peace lately concluded with the Indians Inhabiting the Northern and Western Frontiers of this Province;" another entituled "An Act for regulating the Hire of Carriage to be employed in his Majesty's Service;" And the other, entituled "An Act for regulating the Officers and Soldiers Commissionated and raised by the Governor for the Defence of this Province," were enacted into Laws, and Mr. Lardner was appointed to see the Great Seal Affixed to the Laws, and deposited in the Roll's Office with Two Members of the House.

Mr. William Coleman having been recommended by the Chief Justice and several other Gentlemen to supply the place of Third Judge, in the Room of Caleb Cowpland, Esquire, deceased, he was unanimously approved, and his Commission ordered to be prepared.

At a Council held at Philadelphia, Sunday the 16th of April, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

Joseph Turner,	Robert Strettell,	} Esquires.
Richard Peters,	Thomas Cadwalader,	

The Governor having received, by Express from Lieutenant Colonel Armstrong, an Account of the Arrival of Forty Cherokees at Fort Loudoun, in Cumberland County, with an earnest request that as they were come naked and without Arms, Matchcoats and Fuzees might be brought up immediately for them; he desired the Council to consider what step could be taken to provide and send up what was wanted.

The Secretary had, by order of the Governor, communicated the Letters to S^r. John S^t. Clair, and desired to know if he would order these Indians should be furnished with Guns and Matchcoats, and a little Leather to make Moccasins. S^r. John answered that the Assembly and People of this Province had such singular and unreasonable Nations of Indians, and particularly the Cherokees, that he would not have any thing to do with them, nor order the Indians the things wanted.

Mr. Hockley was applied to and desired to Furnish the Commissioners with Two or three Hundred Pounds, which Might be laid out on this Occasion. But he absolutely refused, saying he had no

money of the Proprietors on the Quit-Rent Fund in his Hands, and that the annual Payments did not amount to Forty Pounds in the Counties of Chester, Bucks, and Lancaster, and that scarce any One paid their Quit-Rents.

A Letter from General Abercrombie came to the Governor in Council, and was read in these Words:

"New York, April 13th, 1758.

"Sir:

"I shall, for the present, only acknowledge the receipt of your Letter of the 9th, without entering into a Detail of the Particulars; which, from the disagreeable Circumstances you Labour under, thro' the Obstinacy and perverseness of the Assembly, require some further Deliberations. I shall accordingly consult with Brigadier General Forbes, whom I propose to send to Philadelphia, so that he may be there on or before the 18th Instant, which I see is the Day appointed for the Assembly to meet again; by which Time I hope they will be convinced of their Error, and come prepared to raise all difficulties that may retard or obstruct the Operations of the Ensuing Campaign. Should I be deceived in my Expectations, Brigadier Forbes will advise with you in what is proper to be done to prevent the fatal Consequences that must ensue from so glaring an Inactivity, in which should they persist, I shall not fail to represent it to the King, that His Majesty may be acquainted with their Dilatoriness in the present Critical Crisis, that requires the utmost Vigor, Dispatch, and Unanimity.

"I am, with great Regard, Sir,

"Your most Obedient Hum$^{e.}$ Serv$^{t.}$,

"JAMES ABERCROMBIE."

It was recommended to the Governor to send Copies of the Letters to General Abercrombie, and to represent the Necessity of the Crown's making immediate Provision for the Cherokees, wherever they should arrive.

A Petition of Francis Ingliss, who has been kept in Jayl above a year, was read, and the Council unanimously agreed that he should be discharged on giving Security for his good behaviour and working in the City.

The following Message to the Assembly was agreed to, ordered to be entered, and the Secretary directed to deliver it to the House, on their Meeting upon the Eighteenth, with Copies of Colonel Armstrong's and Mr. Thompson's Letters to the Governor:

A Message from the Governor to the Assembly.

"Gentlemen:

"Lieutenant Colonel Armstrong has informed me by express, of the arrival of Forty Cherokees at Fort Loudoun, and that more are

daily expected, and desires he may receive my immediate Directions in what manner they are to be treated and supplied, as they are come without Arms or Cloths. The Commander-in-Chief is made acquainted with their Arrival, and I have requested, that as these Indians come for the General Service of the Colonies, his Excellency would be pleased to order Provision to be made for them; but there not being Time to wait the General's Answer, without running too great a risque of disgusting these Friendly Warriors, I earnestly desire you would enable me forthwith to send them the Necessaries mentioned in the Letter now laid before you.

"WILLIAM DENNY.

"April 18th, 1758."

At a Council held at Philadelphia, Thursday the 20th of April, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Joseph Turner, Richard Peters, } Esquires.
John Mifflin, Thomas Cadwalader, }

The Governor having received a Letter from Brigadier General Forbes, the same was read in these Words:

"PHILADELPHIA, April 20th, 1758.

"Sir:

"As the Situation of these Provinces is such at this Critical Juncture as requires all possible Means to be exerted to clear this Province of the Enemy who have at this Time invaded it, and as there is a great Scarcity of Arms for that purpose, I am under the necessity of requiring of your Honour that you will give orders for delivering to me Two Hundred and Eighteen Light Fuzees, which are in your Store, as likewise as many of the 165 Arms as are found to be serviceable after they are Surveyed.

"There will remain in your Store more Arms than will Compleat the Forces proposed to be raised by this Province, besides 2,000 Arms, which I have an Account of being embarked for the Service of this Expedition. I am, with the greatest regard,

"Your Honour's most Obedient and most Humble Servant,

"JO. FFORBES."

And by Advice of Council an order was signed by the Governor to Thomas Janvier for the Two Hundred and Eighteen light Fuzees, in these Words:

"*To Thomas Janvier, Provincial Armourer*:

"You are hereby directed to deliver to Brigadier General Forbes

or his Order, for his Majesty's Use, Two Hundred and Eighteen light Fuzees, which are in the Provincial Magazine. Dated at Philadelphia, this Twentieth Day of April, in the Year 1758.

"WILLIAM DENNY."

At a Council held at Philadelphia, Friday the 21st of April, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Joseph Turner,	Richard Peters,	} Esquires.
Lynford Lardner,	Benjamin Chew,	
John Mifflin,	Thomas Cadwalader,	

The Minutes of the preceding Councils were read and approved.

A Bill presented yesterday to the Governor by two Members for his Concurrence entituled "An Act for granting the Sum of One Hundred Thousand Pounds to His Majesty's Use, and for striking the same in Bills of Credit, and for continuing the several Acts of Assembly of this Province hereinafter mentioned for sinking the Bills of Credit so to be struck at the Times and in the manner herein after directed and appointed," was read. It was observed that the Bill where the taxation was mentioned was extremely obscure; that there were many References to former Acts, a new Clause respecting the taxation of located unimproved Lots in the City and other Boroughs and Towns; that there were Clauses in which the Governor was made to say that the Hundred Thousand Pounds was expended with his Consent, and that the same Commissioners were appointed, and that not by Name, but a Reference to former Acts, and that Certificates from the former Commiss^rs only were to be given, by which it should what Contracts were made and debts incurred chargeable on the Publick. In all which Particulars it was agreed the Bill ought to be amended. Mr. Chew was asked if the Clause respecting located unimproved Lots in City and Towns did not Subject the Proprietor's Estate by the Non Obstante; he said it did not, or if it did in strictness it was too mean & low to be admitted in any Court of Law. Mr. Peters, Mr. Lardner, & Mr. Chew were appointed a Committee to make Amendments to the Bill and draw up a Message.

MEMORANDUM.

In the afternoon the Governor sent the Secretary to the House with the following Amendments to the supply Bill, and a Verbal

Message that the Governor returns the Bill Entituled "An Act for granting the Sum of One Hundred Thousand Pounds to his Majesty's Use," &ca, with Amendments, and Commands me to acquaint the House that he has received from Mr. Lardner an account of the Sum of Two Thousand Pounds, expended by him for the use of the Provincial Frigate; but has not received from Mr. Fox and Mr. Baynton, their Accounts of the Sum of Five thousand, Three Thousand Seven Hundred, and Eight Thousand Pounds, paid into their Hands in Virtue of Orders drawn on the Trustees of the Loan Office.

The Governor desires the House will furnish him with a List of the Orders mention'd in the Bill to be drawn on the Provincial Treasurer.

At a Council held at Philadelphia, Saturday the 22nd of April, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

Robert Strettell,	Joseph Turner,	Esquires.
Richard Peters,	Lynford Lardner,	
John Mifflin,	Thomas Cadwalader,	

The Governor informed the Council that the Bill was returned to him last Night in an Hour after it was sent, with a Message that the House adhered to it, and desired he would pass it as it stood. The Matter was seriously deliberated upon, and in the Conclusion it was the unanimous Opinion Of the Governor and Council that it should be passed, and a Message drawn, setting forth the Reasons at large for doing so, which was prepared, and sent along with the Bill to the House.

A Message from the Governor to the Assembly.

"Gentlemen:

"During the Course of your late Sessions, I have had too frequent Occasions to lament the Melancholy State of this distressed Country—the unseasonable Animosities wherein you have been engaged—your particular ill treatment of myself, and your unaccountable Delays—to turn your Attention to the important Concerns of this present Campaign, till it is almost too late to be of any real use.

"You have now been sitting near four Months, with an intermission only of Ten Days; during which Space you have been repeatedly called upon for the necessary Supplies of the Current Year. You have had the Secretary of State's Letter on that and other important Subjects laid before you; you have seen the Assemblies of the Provinces around you meeting, and with exem-

plary Zeal and Dispatch furnishing their respective Contingencies, and returned to their Several Homes, while your part, to the unspeakable Detriment of the General Service, remains yet undetermined and unsettled. It is true, you have not been wanting in Professions of Loyalty, Duty, and Zeal; and if these could pass for real Merit, you have suffered none to excel you. But actions speak louder than words; and how far your Actions and Professions have corresponded, need hardly be shewn.

"Three Months of your sitting were expired before I received any Money Bill from you, and the first you sent me was so framed that you knew I could not pass it, being only calculated to keep up Disputes, altho' the Season was too far advanced to admit of that Delay, and the Operations of the Campaign in these parts in a great Measure suspended on our Account.

"My principal Objections to that Bill, as appears from my Messages of the Third and Seventh Instant, were two. The first related to the unjust Method proposed for taxing the Proprietary Estate; and the Second to the Appointment of the Provincial Commissioners from among the Members of your own House, accountable only to yourselves a Practice liable to so many glaring Exceptions, that it must require an extraordinary Degree of Hardiness even to propose it.

"The Former of these points you have given up in the present Bill, which I received the Twentieth Instant, having totally exempted the Proprietary Estate, and chusing rather to deprive your Constituents entirely of the Benefit that would arise from an equal Taxation of that Estate, than not Subject it intirely to your own Mercy in the Mode you propose.

"As to the Latter point, although I refused your Bill yesterday on that Score, yet you adhere to it, and seem determined to see the Province brought to the utmost Destruction, and all the Measures concerted by our gracious Sovereign, for our Relief, defeated, rather than the Fingering the Publick Money should not be in a few leading Men of your House, who, in various Instances have abused their former Trust, disregarded me and acted in open contempt of Law.

"These are hard Charges, Gentlemen, but I have made them publickly, and if these Men regarded their own Characters, or if you had that regard which might have been expected for the Honour of your House, you would either have Obliged them to exhibit their Accounts, when required, or you would have left them out of the present Bill, and inserted some other unexceptionable Men in their Stead; But all this you have still declined to do, and what renders the matter still more Suspicious, is your inserting a Clause in the Bill, notwithstanding my repeated Protestations and Objections to the Contrary, intimating, that they have, with my Consent, already expended the Sum of One Hundred Thousand Pounds.

This, Gentlemen, is indeed a short Way of settling Accounts, and is One of the boldest Impositions that perhaps was ever offered to a Governor. From your Obstinacy, and the hard Necessity of the Times, I am reduced to this Dilemma; I must subscribe my Name to a falshood. Shelter these Men under an Act of Assembly, and preclude myself and the Publick from calling them to a future Account, or Suffer all the Measures concerted for your Safety to stand still, the numerous Body of Indians come to our Assistance to return Home, and the present Campaign to be as inactive as the former,—so far, at least, as regards the Parts these Southern Colonies are to act,—and how fatal that might prove to the grand Cause of Liberty and Religion, which ought to be so dear to us, is but too obvious. The expence of the Mother Country and the Neighbour Colonies to strike a decisive Blow now is too great to be continued; and if the present Opportunity is neglected, we may wish in vain to recal it when it will be too late.

"Wherefore, under these Considerations, and to shew my Regard for his Majesty's Service, I do agree to pass your Bill as it stands, if you think proper still to adhere to it, and shall be ready to attend you for that purpose in the Council Chamber, at any Time you will appoint this Day, in order that there may be no further Delays. But, I must do it with a Solemn Protestation to all the World, that it is Contrary to my Conscience, and in Violation of Truth, that I am obliged to say that the former Hundred Thousand Pounds is Expended with my Consent; not to mention the Obscurity of the Bill, and other material Objections, which I waved for the sake of Dispatch.

"WILLIAM DENNY.

"April 22d, 1758."

The Governor laid before the Council a Letter from Brigadier General Forbes, which was read in these words:

"PHILADELPHIA, April 21st, 1758.

"Sir:

"I am extremely sorry that any just request of mine to you, as first Majestrate, should meet with obstructions that I neither could forsee nor suppose; particularly as I had signed a receipt for the Arms I had demanded, according to your desire; and by which receipt of mine, I certainly showed the Necessity that I was under for such an application, in order to support His Majesty's Measures for the general welfare of North America, and for the immediate protection of this Province in Particular. Such a refusal of what is the undoubted Right of the King to demand, or the Officer Commanding his Majesty's Subjects under Arms in the Province, is what I am astonished at; and as the Service is pressing, and will admit of no delay, I must beg, Sir, you will send me an answer in

writing, as soon as possible, whether you are to deliver to my orders the Fuzees demanded, or not.

"I have the Honour to be, with the greatest regard,

"Sir, Your most obedient and most hum. Servant,

"JO. FORBES."

Thomas Janvier was immediately sent for, and declared that Mr. Hughes, Mr. Galloway, Mr. Baynton, and Mr. Masters, forbid him to deliver the two hundred and Eighteen Fuzees on the Governor's Order and the receipt Indorsed. He was ordered preremptorily to deliver the Fuzees directly, and the Governor would indemnify him.

The following Letter from Mr. Horsfield, by Mr. Spangenberg, was delivered in Council and read in these Words:

"May it Please Your Honour:

"Sir: I received a Letter from Robert Strettell, Esquire, advising that when Teedyuscung was Informed of the Murders lately committed he engaged to send a Party of his Young Men to Join a Party of Captain Ornd's Soldiers to range on the Frontiers, and, if possible, to take some of them or Retake some of our People the Enemy had carried off; Desiring I would hurry Teedyuscung's Party to Fort Allen, I went to him and reminded him of his promise, and desired he would send his Young Men to the Fort as quick as possible, which he promised he would do, but that he must first keep a Council with his People to make out who to send. He spoke something of the Last Messengers that came down, and seemed dissatisfied with them, in particular Daniel, the last that Came. 'I don't know (says he) what this is; they say they bring good News; all is well and at Peace; and now I hear they kill White People. I don't know how this is.' Tuesday morning Last he came to my House with a Company of Indians, having several Belts and Strings of Wampum, which he spread on a Table and began to deliver his Message, and he appointed Five Indians to go to the Allegheny, Viz^t. Hans Jacob, his own son, who he made Captain, Amos, another of his Sons, Christian, Isaac, and John.

"He then took some Strings of Wampum in his hand and spoke in the Indian Language, which Augustus Interpreted:

"'This String of Wampum I now send with my Son to Allegheny. I want to know what is to be done, and what you are doing?

"'Now, you Three Nations at Allegheny, Delawares, Shawanes, and Qusnaweesawes, and you, Kastaruga, the Captain, you know all the News at Allegheny, and how matters stand there. Two times I received good news from you that all was well and in good Peace, but now lately I hear that certain Indians have killed many

white People, which I can't see through. I want to know how this is Circumstanced.'

"He then took a Belt,

"Saying, 'Now, this, my Son, the Captain, shall go and tell all the Captains at Allegheny, that they shall sit down and be still, and shall not do any mischief, nor murder any of the English or White People, for here amongst the English are many Indians Living, and if you are not still you will break the Peace and do much Mischief amongst us; you must hear the words he brings and take good Notice.'

"He then took the second Belt.

"'Give Ear you three Nations and take notice; I have heard good News from you, which you sent, that we should take hold of the Belt at both ends and keep it fast; we have taken hold and held it fast, you say we must take hold in the Middle, and the English must take hold in the Middle with me and hold fast; we did so, I and the English with me, and we held fast and was glad for it was good News.'

"He then took the third Belt.

"'This Belt I send to Allegheny to the three Nations. My Friends all of you I tell you, you must move further off; if you live near the French, go away, live further off, and then I will reach out my hand to you to come down. By this Belt I further tell you, you shall not let the French know what words I sent, they shall not hear or know what Words I sent; you must keep it Private and come away and stop their Ears and Eyes that they neither Hear nor see, nor know what we are doing or what passes amongst us;' he then desired they might be supplied with some necessaries, which was done; I wrote to Captain Orndt desiring him to let them have some Powder, Lead, and Provisions. One of them having a very poor Shirt on Teedyuscung took his own new one from off his Back and gave it him, he also gave each of his Sons a Dollar and sent them away in high Spirits.

"I do assure your Honour I never was so much convinced of Teedyuscung's Zeal for the English Interest before; he charged me to write to the Governor and let him know what he had done; he sends his Compliments to your Honour, to your Council, and to the Gentlemen Commissioners, and says he will do all in his Power to keep the Peace. There is a rumour bro't by an Indian, Two or 3 Days past from Fort Allen, who says an Indian came out of the Woods and reported the 30 French Men was coming down to Murder; but as Cap$^{t.}$ Orndt takes no notice of it in his Letter to me Dated Yesterday, I imagine it is groundless.

"I am your Honour's most Humble Serv$^{t.}$

"TIMOTHY HORSFIELD.

"Bethlehem, April 19th, 1758."

A Message was delivered to the Governor by two Members from the House that as the Supply Bill underwent no Corrections, and was a fair Copy; if the Governor pleased it might have the Great Seal affixed to it, without being copied, and that the like has been done at other Times, where Dispatch was necessary. The Governor and Council went immediately into the Council Chamber and the Secretary was sent to the House with a Verbal Message, that the Governor desired the Attendance of the Speaker and the House in the Council Chamber; they accordingly waited on the Governor and the Bill Entituled "an Act for granting the Sum of One Hundred Thousand Pounds to his Majesty's Use, and for striking the same in Bills of Credit, and for continuing the several Acts of Assembly of this Province herein after mentioned for sinking the Bills of Credit so to be struck, at the Times and in the manner herein after directed and appointed," was enacted into a Law.

Mr. Lardner desired an Entry might be made that he would not consent, on any Account, to be a Commissioner.

Mr. Peters and Mr. Lardner, with Two Members of the House, saw the Seal affixed to the Bill, and it was lodged in the Roll's Office to be recorded.

At a Council held at Philadelphia, Wednesday the 26th of April, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell, Lawrence Growden, } Esquires.
Benjamin Chew, Thomas Cadwalader, }

Teedyuscung coming to town on Monday, the tenth Instant, with a Messenger dispatched from the Council of the Indians at Seekaughkoonta, after the Governor had set out to meet the Assembly of the Three Lower Counties, the Council had a Conference with the Indians, which was read, and ordered to be entered as follows:

"At a Conference with the Indians in the Council Chamber, Philadelphia, April 12th, 1758.

"PRESENT:

"ROBERT STRETTELL, Esquire, President.

"William Logan, Lawrence Growdon, }
"Benjamin Shoemaker, Benjamin Chew, } Esquires.
"Joseph Turner, Thomas Cadwalader, }
"Lynford Lardner, }

"Several Inhabitants of the City.

"*Indians*:

"Teedyuscung, King of the Delawares.

"Essoweyoualund, alias Daniel, a Messenger of the Wanami Nation.

"Tepiscahung and one other Indian.

"Isaac Still, Interpreter.

"Mr. William Peters, Secretary for the Province.

"Charles Thompson, Secretary for Teedyuscung.

"The President, addressing Teedyuscung, said:

"'Brother Teedyuscung:

"'The Day before yesterday I received a Letter from Timothy Horsefield, of Bethlehem, informing me you were coming down here, with some other Indians, on Business of Importance with this Government, and having heard yesterday you were in Town, as the Governor is gone to Newcastle, I immediately called these Gentlemen, together, who are now present, and who are of his Council, to acquaint them of it. On which we desired William Logan to see if he could find you, and know on what Business these Indians were come. He told us he could not meet with you, but that the Indian Messenger, Daniel, had informed him he was come from the Indian Country on Publick Business, and desired to be dispatched. I must, therefore, let you know, that as the Governor is absent, he has left us to Act in his place, and we are now ready to hear what you have to say to us.'

"A String.

"Then Teedyuscung, arising, said:

"'Brother:

"'I desire you and all my Brethren present would hear me.

"'You may remember, Brother, when we held a Council at Easton you desired me to hear you. I did hear you, and, therefore, I gave a Halloo, and after I had given One Halloo all the Indians heard it and turned about and saw me, Teedyuscung, and my Brethren, the English, holding our Heads together in Council.

"'Brother: now these Indians back desire us both, Viz^{t}, English and Indians, to press on heartily, and they said we will clear your Eyes that you may see clearly. There are many sorts of Wind come and blow dust in the Eyes. We wipe the Eyes both of Teedyuscung and the English, that you may see our Wives and Children. We Clean your Ears that you may hear us who live back, and we have made One Messenger to do our Business. Now, here he is. The Reason of this Second Messenger's coming is because the other staid a long Time.'

"A String.

"'Brother, and all you, my Brethren, hear me.

"'You may remember at Easton when Governor Morris was here, you said to me, 'Brother, I am able—you are weak. I would have you, tho' you are weak, to do all in your Power, and as I told you I am strong, I will always help you in promoting this Good Work.' Now, Brother, I have done the utmost in my Power, and have helped you, and all the Indians far back have heard me. I, therefore, desire you, as you are strong, to press on in promoting this good Work, so that we may build this Peace on a firm Foundation, as it has been formerly, and let us look up to God for a Blessing, so that this Peace may always stand firm.'

"A String.

"'Brother, and all you, my Brethren, hearken to what I am going to say.

"'I desire, you, Brother, to press on in this good Work we have undertaken; you know I am weak; this Business is very heavy; without you help me I cannot do it. But if we both lay our hands to it and join heartily we can easily perform it. All the Indians round about from Sun rise to Sun set look to us, and are ready to join in the Good Work and help us. You see all these Nations of Indians have heard me when I gave the Halloo, and have turned their Eyes, and are now ready to join Hands with us and help in the Good Work.'

"A String.

"'Hear me Brother, and all you my Brothers.

"'Brother:

"'I tell you, you and I are about a very good Work. Now, Brother, all the Indians a great way off have seen us about that good Work; But yet I see you look towards the Westward and keep your Eyes to the Westward. I desire you, Brother, you would leave that peice of Meat for me. You see I have it between my Arms and betwixt my Legs. Leave it for me to eat it and I shall take it Bit by Bit, and I hope I shall in a Little Time eat it all. It is not only I that tell you this; all the Nations I mentioned before say the same.

"Being asked what he meant by the Peice of meat Teedyuscung replied: 'I desire you and the rest of the English not to trouble yourselves to go against the Ohio; I will do it myself. They are all within my Dish; Leave them for me. I will give them one Blow, and if any escape that I will drive them to the Sea for You.'

"A Belt of 7 Rows.

"'Brother and all you my Brothers hearken:

"'I have looked above me, and then all over the World. What makes me look is to see from whence so much Mischief sprung from; and I will take Notice of all those that pretend to join us,

and if I find they do not do right I will run my Hand down their Throat and bring up their Heart and lay it before you, for may be it was they that did this Mischief. I dont tell you so myself, but all the Nations I mentioned before tell you the same.'

"A String.

"'Brother:

"'I have told you all that I intended at present to say to you. I would have you consider it, and if you find any part of it wrong, I hope, as we are Brothers, you will speak out and tell me what does not please you that I may also consider it; and I desire you would dispatch us as soon as possible.

"'I hope, Brother, you will take notice of this Messenger, and I beg you would dispatch him as soon as possible that he may return quickly; the other Messenger was detained too long.'

"The President said:

"'Brother Teedyuscung:

"'What you have said is very agreeable to us, and gives us Pleasure. The Council will immediately take it into Consideration and give you an answer as soon as we have considered it, and dispatch you as soon as possible.'

"Then Teedyuscung said:

"'Brother:

"'The next Time we meet I shall talk freely about our private Affairs, namely, about our Building and settling at Wioming.'"

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"At a Conference with the Indians in the Council Chamber, Philadelphia, April 13th, 1758.

"PRESENT:

"ROBERT STRETTELL, Esquire, President.

"Benjamin Shoemaker, Lynford Lardner,
"William Logan, Thomas Cadwalader, } Esquires.

"A Number of Inhabitants of the City.

"*Indians:*

"Teedyuscung, King of the Delawares.

"Essoweyaualund, alias Daniel Tepiscahung.

"Teedyuscung's Two Sons and Nephew.

"Isaac Still, interpreter.

"Secretaries as before.

"The President, addressing Teedyuscung, said:

"'Brother:

"'You desired us yesterday to consider what you then said to us, and if we thought any thing wrong, as we were Brethren, to speak out freely, and tell you so; Your advice is very good; This is the Way one Brother ought to treat another; our Hearts should be laid open to each other, that no Doubts or Suspicions may lurk there to disturb our Friendship; We will on this and every other Occasion Act with Openness and Sincerity towards you and all our Brethren, the Indians.

"'Brother:

"'Agreeable to your Advice, we now freely tell you, that we do not well understand your Meaning in desiring us not to turn our Eyes to the Westward, nor trouble ourselves to go against the Ohio, but leave it for you to do, and that you will strike One Blow, and drive them into the Sea. We must inform you that we shall be Obliged to follow the Orders of our great King in carrying on the affair, and as we are his Servants, we dare not disobey his Commands. Besides, Brethren, we do not desire you, who are one Flesh and Blood with us, to engage in any Dangers in which we do not Share with you; The Work can be more easily and safely accomplished by both of us than by one without the other. Our Enemies are now murdering our Brethren on our Borders, and while we are men we cannot sit still with our Hands tied, and let them cut our Throats. We, therefore, desire you will fully explain yourself on that Head before we give you an Answer to what you said to us yesterday.'

"A String.

"To which Teedyuscung replied:

"'Well, Brother, I hope you will hear me, and you, my Brothers, take Notice of what I am going to say.

"'Brother:

"'You may remember at Easton I told you I put out my hand, and took hold of you by one Hand, and that the Mohock took hold of you by the other, and that you were in the middle between us. Now I am sorry to hear Mischief has been done back. I can neither see nor hear who has done it, tho' I have still hold of your Hand all this Time. Now I tell you, Brother, as I have taken hold of your Hand heartily, I will look and search diligently who has done it, and I will stand by you and go with you wherever you go, and where your Bones lie, there mine shall also lie; for we are Brothers, and I will always stand by you and die by you. I don't tell you this from my lips, but from my Heart, and my Actions shall shew it.'

"The President taking Notice that Teedyuskung had not given

an answer to that part respecting the going against the Ohio, whereupon Teedyuskung arose and said:

"'Brother:

"'When I came from Home I thought we should have been able to have done that Work by ourselves, but now I see so much Mischief done, I do not think it prudent to undertake it myself, nor would I by any means hinder you from going, but I will heartily join with you, and we will go together.

"'Brother:

"'Now I have told you I will die with you, and where your Bones lie there my Bones shall lie also; I further tell you, as soon as I go home this my Messenger shall carry the News to all the Indian Nations that we will join with our Brothers the English, and go with them, and where their Bones lie there ours shall lie also.'

"Then the President said:

"'Brother Teedyuscung, and our Brethren the Indians: what you have now said sufficiently explains what you said yesterday on this Head, and I am much pleased with it and thank you for so favourable an Explanation; we will now immediately proceed to Consider a full Answer to what you said yesterday, and will let you know when we are ready and hope it will not take up much Time.'

"Teedyuscung being asked whether it would be agreeable to him to receive an Answer this afternoon, replied, 'as the Business is weighty and requires haste, I shall be ready to hear you whenever you please.'"

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"EODEM DIE.—P. M.

"The Conference continued.

"Present the same as in the Morning.

"The President addressing himself to Teedyuscung said:

"'Brother Teedyuscung, and our Brethren the other Indians: I desire you will now attend to what I am going to say to you, and consider it as if it came from the Governor's Mouth.

"'Brother Teedyuscung, and our Brethren the other Indians:

"'Yesterday, you told me that you had, agreeable to your Promise at Easton, given an Halloo; that the Indians all around us had heard you; that they had seen you and me sitting together in Council; that they approve of what we are about, and desire us both to press heartily on, in prosecuting the Business we are engaged in; that they will do all they can to keep our Eyes clear, that we may see their Wives and Children, and our Ears open, that we may hear what they, who live back, have to say to us. That they have appointed one Messenger to do our Business, and that it

is our Friend Daniel, who is come Down; that the reason of his being sent was on Account of the other Messenger staying so long.

"'Brother:

"'It gives me and the rest of my Brethren great Pleasure to hear that you had performed what you undertook at Easton, and that what passed there was agreeable to the Indians, and that they approved of our Proceedings. You may assure all the Indians, nothing shall be wanting on my part to accomplish the good Work begun, and hope you will continue your good Resolutions to give me your assistance. I look on your Wives and Children with Compassion and Pitty, as I well know they must live very uneasy, untill the great and good Work we are now engaged in be fully compleated. It, therefore, highly concerns us both to leave no stone unturned till it be so. I am sorry the Messenger was detained so long on his Journey. You know he met with many Difficulties in coming down, by the Deep Snows and bad weather, that he could scarce travel. Their sending this Second Messenger on the same Account, is a Proof of their good Disposition; and I desire you, by this String of Wampum, to thank them for their care.'

"A String.

"'Brother:

"'By this String, you put me in mind that you were told, in Governor Morris' Time, that you were weak, and that I were strong; that altho' you were weak, yet I would have you do all that was in your Power, and that, as I was strong, I would always help you in promoting this good Work. You told me, also, that you had used your utmost Endeavours to assist me, and that all the Indians back heard you, and now desire that I would press on and build this Peace on a firm Foundation, as it had been formerly, and Look up to God for a Blessing, that the Peace might stand for ever.

"'Brother:

"'I remember well what was told you by Governor Morris respecting my Ability, and the Promises that were made you of doing all that was in my Power towards promoting this good Work; and I now assure you I continue in the same Resolution, and am determined to assist you to the utmost of my Abilities, and shall always depend upon the Assistance of my Brethren, the Indians, in joining me in fixing the Foundation of this peace we are so happily engaged in on so secure a Rock, that it will last as long as the Sun continues to give its Light; and in order to do this more effectually, as you have told me that you are poor, I shall take an opportunity seriously to Consider in what Particulars I can be of most Service to you.'

"A String.

"'Brother:

"'You repeat your desire that I would press on this good Work, and inform me that you are weak, that the Work is heavy, and that unless I help you you cannot lift it; you tell me I can do it, and that if you join me in it, it can easily be done; that all the Indians from the Sun rise to the Sun set have heard your Halloo, and have their Eyes upon us, and are ready to join us to lift it up.

"'Brother:

"'I am very sensible the good Work we are engaged in is a very weighty one, and of the greatest Importance to you and us, and that it requires us to join our utmost Strength to carry it on, and accomplish it in the happy manner we both desire.

"'It gives me great Satisfaction to hear you say the most distant Indians are ready and willing to join us in it. This Account gives me fresh Encouragement to continue my Resolutions of acting to the utmost of my Abilities, and you may be assured I shall do every thing in my Power to bring this good Work to a happy Issue. I desire you will join me in Prayers to the Almighty God to give a Blessing to our Endeavours. Let us in all our Proceedings have our Eyes fixed upon him. Let us act honestly and sincerely with each other, that we may have some Ground to hope for his Assistance, for without it all we can do will be in vain.'

"A String.

"'Brother:

"'By this Belt you told me yesterday that the Work we engaged in is good, that all the Indians afar off have seen us about it, but that you yet perceive we keep our Eyes looking to the Westward on the Expedition formed against the Ohio, and desired us not to trouble ourselves about that affair, but to leave it to you, and that you would do it for us; that you had it in your Power to do it, and that you would give them one Blow, and that whoever shall Escape you would drive them into the Sea. And by this Belt you told me to-day that when you came from Home you thought you should be able to have performed what you yesterday proposed, but that you have since you come to Town heard there were Enemies doing us Mischief at this Time on our Frontiers, and that you judged it not prudent for you to undertake it yourself, but that you would join the English heartily in it, and would die with us in the Undertaking, and wherever our Bones lay your's should also lie with them, And that you would immediately send Word back by Daniel to let all the Indians know this was your Resolution.

"'Brother:

"'I acknowledge the Work we are engaged in to be good, and am pleased the distant Indians have seen us consulting on it, and are pleased with it. What you have observed of our turning our Eyes to the Westward, and that we are concerned to prosecute that

Expedition, is true. We look on the generous Offer you made yesterday of doing that Business for us as a great Mark of your Sincere Dispositions to his Majesty, and your hearty Attachment to the English Nation. We know it is a great Undertaking, and think you have acted very prudently in reconsidering that Matter, and now heartily thank you for your kind Offers to assist us in it. Our great Enemy, the French, have for a long Time been making Encroachments on these Lands, and are determined to keep possession of them if they can; And as our great and wise King has found that they will not hearken to any thing he has said to them on this head, he has now, at a very great Expence, sent over into this Country a great Number of Officers and Soldiers to drive them off. When they will set about it is uncertain, but as you have been so kind as to Offer to join us in such an Expedition, when the Commanding Officer is ready to undertake it, we will acquaint him of your good Intentions, and he will send Notice to you. It will be, therefore, absolutely necessary you immediately send Word to all the Indians who have now joined with us, and make them fully acquainted with the Engagements you have entered into on their Accounts, and that you and we expect they will fulfil them.'

"A Belt.

"'Brother:

"'You tell me you have looked above and all over the World to find out from whence the Mischief that has been amongst us arose, that you have now found it out, and shall take Notice of all such as have pretended to be our Friends, that if you find any of them deceitful, you will run your Hand down their Throats, and pul up their Hearts and lay them before us, and that in this all the Indian Nations, who have joined you and us have agreed.

"'Brother:

"'I am glad you have taken so much pains to find out the Cause of this Mischief, and that you are determined still to search it out to the Bottom, and see if any such who pretend to be our Friends have any Hand in it. This is a very prudent Resolution and I desire you would pursue it, for if there be any among you who carry Two faces, and act deceitfully, they are much more dangerous to both of us than our open Enemies, and if not found out, will ever be throwing Logs in the great Road, that has been now opened between us, towards perfecting this great and good Work of Peace, I assure you I shall use the same Care on my part to find out such Enemies amongst us, if there be any.

"'Brother:

I have now answered every Part of what you said to me yesterday. I do not observe that you have said any thing that was wrong; if I had, I should have Endeavoured to set you right, as Brethren ought to do with one another I am sensible of the Neces-

sity of dispatching this Messenger. I shall do every thing I can to forward it, and I now desire, if you find I have omitted giving you a full answer on every Head, that you would, like a Brother, open your Mind freely to me, and tell me so, for you must be sensible the greater Freedom we use with one another on affairs of such Importance as the great Work we are at present engaged in, the greater Probability there is of finishing it speedily to the satisfaction of both of us.'

"A String.

"Teedyuscung making no Answer, the President proceeded and said.

"'Brother:

"'As I have now answered what you said to me yesterday, If you have nothing further to say to me on the Head I have some other Business to lay before you.'

"To which Teedyuscung replied: 'I have nothing to object to what you have said. It is a full Answer to what I said Yesterday, and all quite agreeable.'

"The President resuming his Discourse, said:

"'Brother Teedyuscung:

"'I am sorry to inform you that I hear there are now some Indians on our Frontiers and in Lancaster County, on Swahatawro Creek, murdering our people and carrying off some scattering Families. This, Brother, will, I am afraid, be attended with very ill Consequences unless we can find out who they are. It highly concerns you to join me in endeavouring to know of what Nation these People are, and to bring some of them in, that I may be able to know who sent them there. These may, perhaps, be some of the People who have pretended to be our Friends; but whether they be or not we must find them out; and as you have now taken hold of our Peace Belt, and have engaged for the Indians on Sasquehannah that they will not suffer any Enemy Indians to hurt me, I desire that you will immediately go to Bethlehem yourself, where I understand you have some young Men, and send a Party of them out to Scour our Frontiers and take some of them Prisoners; Or if you are not able to take them, that you will endeavour to bring back our People they have carried off; and I will immediately give Orders for a Party of our Soldiers there to join. This Conduct will convince me and my People that you are in earnest in this great and good Work we are now engaged in.'

"A Belt.

"'Brother:

"'The Accounts you have mentioned to me from time to time of the several Tribes of Indians joining us in the good Work we are engaged in has given me great Pleasure. You told me by your

last Messenger that you were now become Eighteen Tribes or Nations, and are now grown very strong. I desire you will acquaint such of these Tribes who have joined you that I with great Pleasure take them by the Hand, and that I shall be very glad to see some of the Chiefs of each Nations in this City, that I may see and hear them, and take them in my Arms. They will then have an Opportunity of Confirming by their own mouth what you have said to me; which will afford me great satisfaction. I desire you will make them acquainted with the Engagements you entered into with me at Easton in their behalf of returning all our Prisoners they had in the Indian Country. And as our People are Strangers to the Woods, and will not be able to find the Roads to the Inhabitants, this will be a very good Opportunity of having them conducted safely; and I shall depend on their bringing with them all our People they can collect.'

"A Belt.

"Teedyuscung having received the Belt arose and said:

"'Brother, hearken, I shall only speak a few words, and all you present take Notice.

"'Brother:

"'Since I have taken hold of the Covenant Chain, as I consider myself as one with you, I can do no other than as you have said. Were my Wife and Children among you I should be very uneasy and want to see them; I will therefore use my utmost Endeavours to collect as many of your People that are Prisoners in the Indian Country as I can, and will bring them down to you; Brother, now I think we have really finished our Agreements and we are one; But tho' we are one, I will not give myself up intirely to you; I will not inlist under your Captains or officers, but I will have Captains of my own; Here my Son is one of my Captains; we will join with you but we will have Captains of our own; As you know I am but weak and Poor, I hope you will Pay my People who shall go out along with you.

"It being late, the Conference ended; and as Teedyuscung was in haste to dispatch the Messenger, and sent out some of his Young Men to scour our Frontiers, he sat out next morning for Bethlehem, without saying anything of his Private Affairs and Settlement at Wyoming, as he intended."

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Extract of a Letter dated Tuesday, April 18th, 1758.

"Teedyuscung dispatched his Son John Jacob as Captain, and four more Indians, Viz^{t}: his Son Amos, Paul and his Brother John, also Isaac, all Delawares, to the three Indian Nations over Allegheny, Viz^{t}: Delawares, Shawanese, and Quahanoquesie, of which last Castareega is Chief.

"1st. Delivered Four Strings to acquaint said Nations that he had twice receiv'd good News from them, and lately heard they inclined to be at Peace with the English; but now he hears of fresh murders being committed, which two Contraries he cannot reconcile or see thro', and therefore desires to know the reason.

"2d. A Large Black Belt, with five strokes across, made of white Wampum, at which Teedyuscung said:

"'Hark, Men of Allegheny; you sent me word you had laid hold of the two ends of the Peace Belt, and I and the English should lay hold of the Middle, which we have done, and held, and do hold it still fast; Therefore, I must desire all your Captains to sit quiet at Home, and not partake of these Evils, or murder English any more; For indeed, we are many Indians that live here amongst them. By such doings you may hurt the Chain of Peace.'

"3d. A White Belt, with black strokes across, set with black Wampum, at which he said:

"'My Friends and Brethren, Shawanese and Delawares:

"'You live near the Others, and if any of you live nigh the French, move a little further from them, and take each other by the Hand, and let all your Chiefs come, and I will take them by the Hand and go with them to the Governor, where they shall hear Words with their own Ears for themselves.'

"4th. A White Belt, set with black Wampum across, and said:

"'Hereby I require and charge all Indians, here and there, not to acquaint the French any thing of Transactions here; but to stop their Ears and Eyes, that they may neither hear nor see what passes amongst us.'"

Then were read the following Letters, and ordered to be entered:

"*Extract from a Letter from Sir William Johnson to M. Gen'l Abercrombie, dated at Fort Johnson, 13th April, 1758, received 22d, in the Morning, by the Post.*

"I shall endeavour all in my Power to get as many Indians as I possibly can to join his Majesty's Forces, both this way and to the southward, for which Purpose I shall send Mr. Croghan, as soon as he returns from the German Flats to Philadelphia (in the mean while, I think Governor Denny should loose no Time in sending Invitations to them Indians, who are inclined to Peace, to come to Philadelphia), with proper Instructions and Directions to assist and co-operate with Governor Denny, in bringing about and settling a Peace with the Ohio and Western Indians, and try if he can get a Number of them to join Brigadier General Forbes; and endeavour to persuade the rest to lie still if possible, which (from the Steps I have lately taken), I am in hopes he will be able to accomplish. The Cherokees will, I am positive (by what they promised me last

fall when here), join us heartily, if we do not by neglect, or some mismanagement, overset the good Disposition they then were in, which I hope will be guarded against and prevented, as there Alliance is, in my Opinion, a Matter of the utmost Consequence, particularly to the Southern Governments, which, I think, should not stick at any thing now to engage them heartily.

"J. APPY, Secretary."

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"BETHLEHEM, April 23d, 1758.

"Sir:

"This Morning a Soldier came from Fort Allen, with a Letter from Capt. Orndt, directed to you or Mr. Edmonds, wrote last Night, in which the Captain gives you an account of the Trouble he had with Teedyuscung's Messengers, and that he could not get them from the Fort sooner than Yesterday Morning; and that they came back again towards Evening, telling the Captain they would not carry the Message; one of them said he had dream'd that two Indians had poisoned them, and they would die if they did go—forcing, at the same time, their Belts and strings of Wampum upon Mr. Orndt to send them to Teedyuscung again; yet he kept them, and only desired you, or Mr. Edmonds, to acquaint Teedyuscung of the Behaviour of his Messengers. Edmonds acquainted Teedyuscung directly of it; he proposed to send a Young Man of his to bid the Messengers proceed in their Journey, &c^a. But Mr. Edmonds told him that would be to no purpose—his Captains would not hearken to the Message of a lad—it was needful that he did go himself and look after things; to which he at last agreed, upon Condition that Edmonds should go with him; And so they both set out for Fort Allen about 9 o'Clock. This Morning, Mr. ——— proposed to take the Captain's Letter along to you; but when sent for, Mr. Edmonds was gone already, and his Wife said he had, in the Hurry, taken the Letters along. I thought it, therefore, needful to acquaint you, nevertheless, of the Contents, as you may have an opportunity to acquaint the Governor of it. The Captain complains, also, that those Indians who were to range, did nothing but Drink, and were continually Drunk—they having brought whole Casks of Rum from Easton. One thing more I must tell you, The Lieutenant from Fort Allen was here, yesterday, in his private affairs; he reported that a Couple of Indians were come from the Susquehannah some Days ago, and that since their Arrival the Messengers look'd much confused, and as if they were knock'd on the Head; in short, things Look very suspicious, and as if some evil spirit did work and rule again amongst the Savages; which we have so much Reason to believe, as an Indian from above has secretly told his Friend, here in Bethlehem, there would be bad Times again, beseeching him, at the same Time, to

retire from these parts. If not the Lord was on our side—in Distress our strong Defence and Armour—we should should be in great fear; but as we are under his Protection, he will keep a good Watch, that we may not be surpriz'd; and I hope the last Murder on Swatara has put all our Neighbours upon their Guard; for, as we know nothing certain, we can no body tell of it.

"Your Family is well.

"I am, with much respect, Yours,

"JOHN EDWIN."

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"May it Please Your Honour:

"Sir:

"I came to Town last Night, pretty late, and thinking it not Convenient to trouble you to-Day, I beg leave to inform your Honour, that Teedyuscung, a Day or two after he had dispatch'd his Two Sons, &c^a., to the Alleghena, Sent Five other Indians to range on our Frontiers, in Company with some of Capt. Orndt's Men; this he desired I would inform you of, and that he intends, very soon, to pay you a Visit (nay, he would fain come with me), to conclude about going to Wyoming &

"I am your Honour's most Hum. Servt.,

"TIMOTHY HORSFIELD.

"Philadelphia, April 23d, 1758."

Benjamin Shoemaker, William Logan, and Richard Peters were appointed a Committee to Consider the Intelligence contained in the said Letters, and what is proper to be done in Consequence thereof, and to make their report thereon as soon as possible.

A Recommendation by the Commissioners under the Act for preventing Abuses in the Indian Trade, &c^a., of John Carson, Francis Campble, and Nathaniel Holland, to be Agents at Fort Augusta, and to be Commissionated accordingly, was read & Considered, and Francis Campble is approved of and appointed to be the Indian Agent at Fort Augusta, and to be Commissionated accordingly, of which the Commissioners aforesaid are to have notice.

A Petition to the Governor from several of the Inhabitants of the Town of Reading and others in the County of Berks was read setting forth the great Distress of that County from the Ravages lately committed therein by some Indians, and praying for a speedy Reinforcement; the same was taken into Consideration and upon application to General Forbes a Company of One Hundred Highlanders were ordered into that part of the Province for their Protection and Security.

MEMORANDUM.

On the Twenty-Seventh, Two Members waited on the Governor with the Bills for granting to his Majesty a Duty of Tonnage, &c^a, for his Concurrence; and at the same time presented to his Honour the Bill for Extending several Sections of an Act of Parliament, &c^a, intituled "An Act for Punishing Mutiny and Desertion," and desired his Assent to it as it now stood.

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MEMORANDUM.

On the Twenty-Eighth, the Governor by the Secretary sent down to the House the Bill for granting to his Majesty a Duty of Tonnage, &c^a, with a Verbal Message that his Honour was ready to pass the same whenever presented to him for purpose.

At a Council held at Philadelphia, Saturday the 29th of April, 1758.

PRESENT:

The Honourable WILLIAM DENNY Esq., Lieutenant Governor.

Robert Strettell, Lawrence Growden, } Esquires.
Benjamin Chew, Thomas Cadwalader, }

The Governor having last Night received a Letter from Brigadier General Forbes, requiring the Appointment of a Provincial Treasurer, or Paymaster, to attend him, with a Sum of Money, Subject to his orders, for defraying Contingent Expenses, the same was laid before the House with a Message desiring the House would enable the Governor to return a Satisfactory Answer to the General.

The Governor at the same time sent a Message to the House at the Instance of General Forbes, Earnestly recommending it to them to provide a Barrack-Master, who might be accountable for the Care of the Barracks, and for the Several things therein.

The Governor returned the Bill Entituled "an Act for Extending Several Sections of an Act of Parliament, passed in the Thirteenth Year of the Present Reign, Entituled 'an Act for Punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters,'" with his Assent to it.

The Bill was laid before the General, and the hardships likely to be put upon the Magistrates from the Loose Expression in the Bill that the Magistrates shall not give Billets for Quarters on Public Houses, unless the Rooms in the Barracks were Compleatly filled, and the General was requested to give an order mentioning the Number of Soldiers to be Lodged in each Room, but the General declined

giving such Order, saying that they would hold more in one part of the * * * than in another, and that no inconvenience could arise to the Magistrates, as it would be his Care in all Cases of that sort to interpose, and indeed he did not believe they would be put to the tryal in the Ensuing Winter.

The said Bill was compared by Mr. Peters on the part of the Council, and Mr. Roberdeau and Mr. Saunders on the part of the Assembly, together with the Bill Entituled "An Act for granting to his Majesty Duty of Tonnage upon Ships and Vessels, and also certain Duties upon Wine, Rum, Brandy, and other Spirits, and a Duty upon Sugar, for supporting and maintaining the Provincial Ship of War, for protecting the Trade of this Province, and other Purposes for his Majestie's Service.

The House was required to attend the Governor in the Council Chamber, in order to pass these two bills into Laws, and accordingly waiting on the Governor, they received his Assent, and were enacted, Sealed, and Enrolled.

At a Council held at Philadelphia, Tuesday the 2d of May, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esq., Lieutenant Governor.

Robert Strettell, Joseph Turner,
Lynford Lardner, Richard Peters,
John Mifflin, Thomas Cadwalader, } Esquires.

Teedyuscung,
Teepyuscung, } Indians.

Isaac Still, Interpreter.

The Council was called, at the Instance of Teedyuscung, the Delaware Chief; who, addressing himself to the Governor, spoke as follows:

"Brother:

"I have no new matter to lay before you; I only come to remind the Governor of some things, already agreed upon, that remain to be done. The Indians want to see the Houses built at Wioming, and then they will remove there. All the Indians expect that the Houses shall be built this Spring; and if they be not, they will blame me much, and say it is my fault. I therefore press you to order the Men who are appointed for this Business to go upon it directly. Summer approaches, and it is Time to plant our Corn; this is all I have to say."

A String.

To this the Governor answered:

"Brother Teedyuscung:

"I am always glad to see you; Your request shall be taken into Consideration. I shall communicate it to the King's General, who is now in this City preparing for an Expedition against the Enemy, and likewise to the Assembly, who are now sitting; and, as soon as I have consulted with them, I will give you an answer."

The Governor then entered into Conversation with Teedyuscung on the late Mischiefs that had been done by the Indians on the Frontiers, at Berks County, and desired to know if he had learned what Indians were concerned in them. To which he answered, that he could not tell who they were; He knew nothing about it. He had sent a Letter to the Governor, setting forth all that he knew; he had sent his Two Sons to the Ohio to demand the Cause of these Murders; he had received Belts from these Nations, acquainting him they were all Brothers, from Sunrising to Sunsetting; he could not, therefore, account for this last Mischief. Being asked how long it would take to finish the Buildings at Wioming, supposing the same Number of Hands as went before, he said Three Weeks. He reminded the Governor that they might have Two School Masters, Ministers, and Councellers.

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Wednesday, A. M.

MEMORANDUM.

On the Third, Two Members waited on the Governor, with the following Message, and acquainted him that the House inclined to adjourn to Monday the Fourth Day of September next; to which his Honour was pleased to say, that he had some Business to lay before the House, and would acquaint them therewith, by the Secretary, in the Afternoon.

A Message to the Governor from the Assembly.

"May it Please Your Honour:

"At this Time of General Calamity and Distress of the Colonies, when every Liberty, both civil and religious is at Stake, we were determined to wave every Thing that might tend to create new Disputes between the Two Branches of the Legislature, and therefore have postponed answering your several Messages, and rather submitted, for a Time, to lay under the load of Reflections and Calumny they contain, than by any Means impede his Majesty's Service, or obstruct the generous Measures he has been pleased to concert for our Preservation and Defence. But the aids are now granted to the Crown, and your Message of the Twenty-second Ult. is of such an uncommon and extraordinary Nature, a Regard for

our Characters, Truth, and the Public Welfare, will no longer permit us to be silent; tho' the Passion and Injustice it contains are so evident, 'tis more than probable that it will ever carry with it a full remedy against the unhappy disposition your Honour has discovered to deprive us of our just Rights as a Branch of the Legislature, and as far as lies in your power, to ruin our Reputations as Individuals, by Calumniating and condemning unheard, particular Members of our House, without the least Foundation. How far this Conduct corresponds with the large Professions of Justice you made in the Case of William Moore, that you would condemn no Man unheard, nor without giving him and his Accusers a full hearing Face to Face, we leave your Conscience and reason to determine, declaring that they appear to us the most glaring Contradictions.

"You have been pleased to lament the Melancholy state of this distressed Colony, and the unseasonable Animosities we have been engaged in, at which we cannot help being surprised, since it is known to almost every Inhabitant, that you have long had it in your Power to relieve us, in a great Measure, from the first, and in no small Degree, contributed to the Second. Actions speak louder than Words. To these we appeal; will it not appear strange, that this Government, entrusted to your Honour's Care and protection, has expended, since your Administration, upwards of One Hundred Thousand Pounds in supporting three Battallions of Troops under your command, and yet has received very little Defence against the Depredations of the most barbarous and cruel Enemy? Was your Concern as Sincere as you profess, would you have acted in Violation of the Law, pointing out the only effectual Mode of Defending the People, in not issuing orders for making Incursions into the Enemy's Country? Would you have neglected the Military Service, upon which the Lives of Thousands depended; permitted the Officers and Men to remain inactive in the Forts; suffered the Inhabitants to be murdered and Captivated from Time to Time, when every Means in your Power ought to have been exerted for their Defence and Preservation? These are facts so Notorious, so sensibly felt by our bleeding Fellow Subjects, that we cannot but doubt of the Sincerity of your Concern at a Distress, the Continuation of which has too long been owing to your own Neglects and Omissions.

"As to the Animosities you are pleased to say we have been engaged in, we know not what they mean, unless it be the trying and punishing the Author and Abettor of the most Virulent Libel that ever was published against the Representatives of a People and Rights of Government. To enquire into and punish this insolent Attack on the Rights of the Subject was our indispensible Duty. This was concluded long before the Demands of the Crown, made by Secretary Pitt's Letter, were communicated to us, and, therefore, could not impede or affect our Aids to his Majesty for the ensuing Campaign, but rather proved advantageous to the Common Cause,

by preventing the House from rising before we had received the Secretary of State's Letter. However, insolent as this attack and virulent as the Libel was, your Honour and some of your Council thought fit to take the Authors under your Protection, and, therefore, we are not surprized at your thinking the Enquiry unseasonable, Since it is natural for a man to call every Measure so that tends to Support those Rights which he has so frequently Shewn a Disposition during His Short Administration to Abridge and Destroy.

"Your Honour is next pleased to say, that we have delayed to turn our attention to the Important Concerns of the Present Campaign, a groundless charge and not more easily made than refuted. The first intimation we had of the Operations to the Westward, and of the Assistance expected from us, was by Lord Loudon's Letter, laid before the House the Twentieth of February; immediately thereupon our proportion of the Eight Hundred Men demanded was resolved on with great cheerfulness, and the Necessary Sum for their Support Voted. On the Eighth of March we received his Majesty's paternal and animating Instructions, informing us of the Measures he was determined to pursue for the preservation of this and his other Colonies, and desiring us to exert the Strength and Abilities of the Province on this important Occasion. It was with impatience we waited to know what Part it was expected we should act in these interesting and necessary Operations; but we did not receive the least intimation of it before the Eighteenth of March, when General Abercombie's Letter was laid before us mentioning the Number of Troops required of this District of the Colonies, and therefore could not come to any determinate and certain Conclusion before. Eleven Days after we presented your Honour with a Bill for furnishing Two Thousand Seven Hundred Men to act in Conjunction with his Majesty's Troops to the Westward.

"A Bill in its Nature reasonable and just, adapted to the Circumstances of the Province, and a Bill which your Duty to his Majesty, and the People entrusted to your Care, would have Obliged you to pass, had those sacred Obligations been constrained to Submit to the most tyranical and unjust Proprietary Instructions. Had your Honour passed this Bill when presented, as you ought to have done, we should have been the first of the Western District, who had given exemplary Proofs of an hearty Zeal for his Majesty's Service, and a Chearful Compliance with his Gracious Demands. But this reasonable Bill you thrice rejected, as you inform us, by the unanimous Advice of your Council, and was resolved, by taking an Advantage of our present bleeding and distressed Situation, either to exempt the Proprietaries from bearing their just proportion of the Tax, to defend their own Estates, or effectually to prevent us from complying with the most Interesting Demands of the Crown. So that it seems his Majesty's Province would have been defenceless, his gracious Demands rejected, and the glorious Plan concerted for the

Defence of these Colonies frustrated, had the Representatives of the People, with the same Inflexibility, adhered to their natural Rights and Privileges as your Honour has to the Slavish Instructions of the Proprietaries, impracticable in themselves, arbitrary in their Nature and abhorrent to every Rule of Common Justice. Thus all the Delay from that Time can be only imputable, with Justice to your Honour and Council who have been so regardless of his Majesty's interest and Service, and so fearful to infringe the Proprietaries Instructions, as to reject a reasonable and most necessary Bill at this critical Juncture, because their Estates were to bear a proportion of the Tax, to defend their own Property.

"Your Honour further asserts, That the first Bill we sent you was so framed, we knew you could not pass it. How you should be acquainted with our Knowledge and Thoughts, we cannot conceive. We beg leave to inform you, that in this, you are under a great Mistake; we well knew your Honour is bound to Obey such Instructions, from Time to Time, as are given you by the Proprietaries, which are liable to alterations and changes; and therefore we could not know but you might have received Orders to have passed a Bill, in which their Estates were included, And we could not suspect that his Majesty had a subject so destitute of Loyalty and Gratitude to the best of Kings, and regardless of every Rule of common justice and Equity, as to continue their Instructions to the Contrary. Is it possible that the Proprietaries can still insist that their great Estates should be protected at the Expense of his Majesty and every person within his Dominions capable of paying Taxes? Could we conceive that they would venture to claim a Privilege no Peer of the Realm, nor even Royalty itself ever pretended to? If these things are reasonable, then, we might have known that the Bill we presented was such as your Honour could not pass; if otherwise, we ought to have been well acquainted with the Proprietaries unjust Disposition, as you seem to be, to have believed it.

"But your Honour would fain perswade the World, that you are not against Taxing the Proprietary Property, and are pleased to say, that one of the principal objections to this Bill related to the unjust Method proposed for taxing their Estates. Let us enquire what this unjust Method was. In the Bill the return of Property was to be procured and made by the Constables of the respective Townships, and ass'ors, the latter of whom were to be Freeholders, and chosen by the People. By them, and the County Assessors, the Estates of the Proprietaries and all others were to be taxed, by the same Method and Rule and in the same Proportion. These have ever been Men of Character and Integrity; and being under the awful Obligation of an Oath or solemn Affirmation, to discharge their Duty, no one can presume they would do any man Injustice in the Taxation. But surely our Proprietaries, in the Characters of private Subjects may venture to submit to a Mode of Taxing, at-

tended with equal security and Equity, with that by which the Peers of Great Britain, and their Gracious Sovereign, are, by a long Line of Precedents, rated and assessed. All Money Bills take their Rise with the Commons. Supplies cannot be raised without their Grant. The King and the House of Lords do not pretend to the Right of amending Money Bills; They ever submit their Estates to be assessed and rated by Persons chosen by the Commissioners, who are nominated by the Commons, and have no Voice in the Election, or Negative on such Persons; where then is the essential Difference between, or greater Security in their Mode of Taxing, than pointed out in our Bill? 'Tis really no more than the Commissioners, who are nominated by the Representatives of the People, choose the Assesors in the one case, and in the other they are Elected by the People themselves. But nothing less will satisfy the Proprietaries, than the investing their Deputies with a share in the Nomination and Appointment of the Assesors. We entreat your Honour would inform us what Share would Satisfy them, Is it a single Vote? Or do they claim as many Votes as all the rest of the People in the Province, Or one-half of the choice? or are we to present to your Honour Bill after Bill, alter and change the Assesors therein to be named, untill we shall fix on such Persons as you shall approve of, and such as will nearly answer all the Purposes of totally exempting the Proprietaries' Estate in the Bill. This would be giving you the sole Nomination of them, for we can see no Difference between a Persons choosing an Assesor himself, and having a Power to reject until the person he likes be presented to him. If either of these be the meaning of your Message, you will excuse us, if we say, the proposal is anti-constitutional, and without precedent in our Mother Country, and is the more unreasonable in our Proprietaries as it is claiming a Right which the Nobility of the Realm, or his Majesty himself do not pretend to. And as your Honour must know we cannot consent to it, consistent with our Duty to the People we represent, it must be mere Evasion and Illusion, calculated only to exempt the Proprietary Estate from bearing a just proportion, and to throw an additional Weight of Taxes on our Mother Country, the distressed Freemen of this and the Neighbouring Provinces. This will appear still more evident, when the Part of the Proprietaries' Estate, which your Honour proposes to tax in this extraordinary Way, is Considered. You assert that the Proprietaries are willing that every Tract of land within the Province, surveyed and appropriated for their Use, should bear an equal and proportionable Share of any Burthens that may be imposed on the People, in the necessary Defence of this and his Majesty's other Colonies. And is this all the Property the Proprietaries will suffer to be assessed for the immediate preservation of their own Fortunes? Must the High Quit Rents arising from several Millions of Acres, the large Estate in Ground-Rents, and their other considerable Property in this Province, be exempted from bearing a proportion-

able Part of this necessary Burthen? This would be truly the Case, should we lose all Sense of our Constituents' Rights, and agree to be the extraordinary Mode proposed by your Honour, for nothing else is to be taxed but the located and appropriated Lands. After mentioning these Facts, how weak and absurd appears your assertion, that we chose rather to deprive our Constituents of the Benefit that would arise from an equal taxation of these Estates than not subject it intirely to our own Mercy in the Mode we proposed, What great Benefit could flow from so small a part of their Estates, when by much the greater Share was to be exempted? And in what manner can it be said with truth, we were determined to subject them to our Mercy? We had no share by the Bill either in the rating or Levying the Money. That Matter was left to the Commissioners and Assesors, who were to be sworn or solemnly Affirmed, to do equal Justice; nor could the Representatives of the People interfere therein.

"Your Honour's Second Objection to our Bill related to the Appointment of the Provincial Commissioners from among Members of our own House, accountable only to ourselves. If this Practice be liable to so many glaring exceptions, why did you not obect to it in the late Supply Bill passed in your other Government? Why did you Consent that Six Members out of their House consisting of Eighteen only should be Commissioners, and yet object to five being Chosen out of the Members of our House consisting of Six, and thirty joined with two of your own Council? Why does it require an extraordinary Degree of Hardiness in us even to suppose it, and not in the Assembly? Is it not as reasonable in one Government as the other? Does the Soil, Climate, or Nature of the Country make that Practice just and equitable there, which is not so here? Why did you not object to this Practice in the former Law for granting Money to the Crown? But this Strange Conduct of your Honour we leave to be accounted for, whenever you shall think yourself capable of reconciling the most evident Contradictions.

"With the same Degree of Reason and Justice, you next assert that 'we seemed determined to see the Province brought to the utmost Destruction rather than that the Fingering of the Public Money should not be in a few leading Men of our House.' This it is true is a hard Charge as you say; But we have been of late so used to receive high Accusations from our Governors, which upon a little Examination have proved groundless, that with the sensible Part of Mankind they are looked upon as things of little Meaning. As to the leading men of our House, we know of none such; here every man is left to the free Exercise of his own Reason and Judgment. We are not confined to the Instructions, or Directions of any Man or Sett of Men, and we sincerely wish for your own Sake, the sake of the People we represent, and of his Majesty's Service, you were as dependant of and free from the leadings and

Directions of a few ruling Men of your Council and Proprietary Instructions as we are from any undue Influence whatever. By the Bill the Commissioners are not to finger one farthing of the Public Money, and their Power only extends to draw Orders on the Trustees for the Purposes mentioned therein with your approbation, and the Money is to be paid by the Trustees to the Persons in whose Favour they are Drawn. The great relish for fingering Public Money, we apprehend, is rather to be found with the Governor, and we should be glad his connections were such with the People that we could safely confide in him. But when he looks on himself only as a Passenger, and regards not whether the Barque entrusted to his Care shall sink or Swim, provided he can by any means reach the shore, it is our indispensable duty to take every Measure in our Power to preserve that Economy and Public Justice in the Laying out and Appropriating the People's Money for which this Government has ever been so very remarkable.

"As to the Commissioners, we shall only say that they have ever been reputed Men of Integrity, and are well acquainted with our Publick Affairs, from long Experience. They have satisfied us of their Innocence with respect to the Charges you have made against them in the most loose, general, and unjust Manner. And we think ourselves obliged to return them our Thanks, for the great Pains they have taken, the Time they have spent, and for their prudent Conduct in the faithfull Discharge of the Duties enjoined them, by the late Act for granting One Hundred Thousand Pounds to the King's Use. Being convinced of this, we are not surprized to find your Honour's Indignation and Resentment so remarkably exerted against that part of our Bill nominating the same Gentlemen Commissioners, where the fingering the Money is no more in your Power than in theirs; this we Suspect will ever be the case, till a Sett of Men can be found agreeable to your Honour's Mind, who may be less exact and careful of, and more profuse with, the publick Interest. The Commissioners, in the early part of our Session, laid their Accounts before us, which have been for some Time in the Hands of a Committee, and will be settled as soon as possible. What, therefore, your Honour means by obliging them to exhibit their Accounts when required, we cannot understand, any more than we can your Design or merit, in declaring with a Solemn Protestation to all the World, that the Passing our Bill was Contrary to your Conscience, and that in violation of Truth you were obliged to say that the former Hundred Thousand Pounds was expended with your consent. Did you ever attempt to make out this assertion? Did you ever point out the Sum that was not expended with your consent? Does your Honour think every Declaration of yours is to pass with us for Solemn and incontrovertible Truths, sufficient to condemn and destroy the Reputation of Men of whose Integrity and Fidelity to the Publick we have had manifest proofs? We are sorry for the Governor and amazed at this part of his Mes-

sage, and could wish sincerely for his own Sake that he had reconsidered the Bill, without that Bitterness and passion which appears too much to have blinded his Judgment in these Solemn Assertions which can do him no Credit, with respect either to his Moral, religious or Political Reputation.

"Thus having answered all the material parts of your unkind Message, filled with the Grossest Invectives and Misrepresentations, we must assure you, that we are desirous to submit our Merit to the Test of our Actions. Every Thing has been done for the good of our Constituents and his Majesty's Service, that your Honour would permit us to do; & many things further, equally necessary, which your Honour has obstructed, we would have done. It would be happy for Pennsylvania, could you with equal safety, appeal for a Justification of your Conduct to the same Test. Have you not supported a Man in his Acts of Extortion, Oppression, and Tyrany, over the Poor Inhabitants of Chester County, against the Solemn Examinatione and Remonstrance of the Representatives of the People? Are not the Widow and Fatherless groaning under his arbitrary Measures, and yet remain without Hopes of Relief? Have you not continually usurped an arbitrary Power of amending our Money Bills, and thereby repeatedly violated one of the most essential Rights of the People? Have you not rejected a reasonable Bill for furnishing the Crown with Two Thousand Seven Hundred Men for the recovery of the Proprietaries' Fortunes from the Possession of the Enemy, because their Estates were to bear a reasonable Proportion? Have you not retarded and obstructed the granting Supplies to the Crown, by tenaciously adhering to your Instructions? Have you not had under your Command Fourteen Hundred Men, & yet permitted the most trifling Parties of Indians to depopulate a great Part of the Province, captivate and murder the Inhabitants, while our Troops have been inactive in our Forts? Have not orders for making Incursions into the Enemy's Country, tho' expressly directed by the Law, being intirely neglected? Has a Single Party been sent out on this Account, or one of the Enemy been killed or taken Prisoner since your Administration, tho' our Frontiers have been almost Continually bleeding by their merciless Hands? Have not the People, thro' this unhappy Neglect, been surprised and murdered in their Beds, who otherwise might have had timely Notice of their Approach, and defended themselves? In short, what Protection or Defence has this unhappy Colony received from the large Sums of Money it has generously granted? These are the unhappy Marks of your Honour's Regard for his Majesty's Service, which the Good People of this Province have fatally felt, at a time when their Representatives have been exerting the Power and Strength of the Province almost beyond what it could bear, to relieve them from the Butchery and Ravages of the Most barbarous Enemy, whose Blow has fallen the heavier on us thro' the Frauds and injustice they declare they have

received from the Proprietaries, and their Agents, with regard to their Lands.

"Signed by order of the House.

"THOMAS LEECH, Speaker.

"May 3d, 1758."

The Governor received the following Letter from General Forbes:

"Sir:

"Finding that the Storeship with the Tents, Arms, &c^{a}, has not arrived from England with the Transports, I applied to General Abercrombie, to know how I was to proceed with regard to Camp Necessaries, and his answer is:

"'With regard to Camp necessaries for the Provincials, they must be furnish'd by the different Provinces; those to the Northward have agreed to it, and their Troops are to come provided with them at their Expence.' I must therefore beg leave to Know the Resolution of the Province upon this Subject directly.

"Upon your Application, I promised to send an Hundred of the Royal Americans up towards Reading, but as these Companies are very Sickly, coming from Carolina, and very much want some Days of Rest and Refreshment, I must, therefore, beg you will excuse me from my Promise, and in their Room you may send some of the new raised Provincials, which will answer every purpose fully as well.

"I should be glad to know your Opinion of the Party of Cherokees at Carlisle, whether they should be allowed to proceed, or turned another Way. I should likewise want to know how far the Province thinks themselves Obliged to take Care of those Indians by Presents, Cloathing, &c^{a}.

"I beg, Sir, that the Orders about the Light Horse may be given as soon as possible; And that you will likewise be so good as to order the Horses to be placed, for the Conveying Intelligence thro' your Counties, according to the plan given to you by the Quarter-master General.

"I really think Teedyuscung's Demands ought to be agreed with, as he has the Publick Faith for the making such a Settlement, altho' I would parry off all Convoy of Troops, as Axmen and Carpenters will Answer all his purposes, and I think that he and his Tribes ought to be our Guards for those Back Settlements this Summer, as we shall want all the Troops somewhere else.

"I am, Sir, with great Regard, Your Most Obedient & most Hum. Servt,

"JOHN FORBES.

"Philadelphia, May 3d, 1758."

The Secretary was directed to carry the Above Letter from

General Forbes to the House, together with a Letter from Captain William Thompson to Colonel Armstrong, and a Message in these Words:

"Gentlemen:

"I lay before you a Letter I have just now received from General Forbes, on which I desire to know your Resolutions before you rise, that I may be enabled to give him a proper Answer.

"Teedyuscung has renewed his Request to have the Houses finished at Wyoming, for which this Government stands engaged. I propose sending the same Gentlemen that were appointed last Year, and shall recommend it to the Commissioners to defray the Expences that will attend the Execution of this Commission.

"WILLIAM DENNY.

"May 3d, 1758."

—

A Letter to Colonel Armstrong from Captain William Thompson.

"YORK TOWN, 26th April, 1758.

"Sir:

"The Cherokees and Catawbas that left Fort Loudoun to go to War, Marched in Company 'till they crossed Juniata, at which Place some Misunderstanding that Happened amongst them occasioned the Four Catawbas to return to the Fort; But the Cherokees proceeded towards Fort Du Quisini, by the Franks Town Road.

"They proposed, being out twelve or Fourteen Days, and said if their Brothers of Pennsylvania had any Inclination to hold a Treaty with them, they were sure a Present would be sent them by the Time they return'd.

"As I have not as yet received any Orders concerning them, nor do I know if the People in this Province will incline to treat with them, I can't determine what is best for me to do, as it is at my own risque I have furnished them with Provisions and what Drink was Necessary for them since they came into this Province. And I have reason to Doubt the Accounts will not be Answered, as I have not been paid for a Horse and a Riffle Gun, which I gave to the Cherokees last Year by Colonel Stanwix's and Your Orders.

"I will set off for Fort Loudoun to-morrow, and will be glad to know, as soon as possible, what his Honour the Governor and the Assembly intends to do with them.

"I am, Sir, Your most Obedi^{t} hum^{e} Servant,

"W^{M} THOMPSON."

Two Members waited on the Governor with a Message from the House in these Words:

"May it please Your Honour:

"We much approve of your designs in sending the same Gentlemen that were appointed last Year to finish the Houses begun at Wioming, at Teedyuscung's Request, and as the more expeditiously this Measure is executed, the sooner we shall have an Indian Barrier in that Quarter, we hope no Time will be lost in Dispatching them.

"With respect to the General's Demand of Tents, Arms, Camp necessaries, &c^a, for the Provincials, we beg leave to observe that by his Majesty's Royal Instructions, by his Secretary of State, the whole that the King expected or required from us, was the levying, Cloathing, and paying the Men; in Consideration of which we have supplied as large a Number of Men as the present Circumstances of our Constituents would admit. The supplies in the Bill are appropriated to these purposes, which we are very apprehensive they will fall short of answering; and as we presume the General must be invested with Powers to supply these things, agreeable to the Royal Promise, in case of any accident, we doubt not he will chearfully comply with it.

"As we understand the Cherokees are invited by the Crown to assist in the general Defence of the Colonies, which receive an equal Benefit from their Services, we are of Opinion they should either be maintained, Cloathed, &c^a, by the Crown, or at the general expence of the Colonies, and not by this Province only; which must appear the most reasonable to your Honour, as you know this Government has very lately expended large Sums of Money in Indian Affairs, from which the other Provinces have received equal Advantages, tho' they have not contributed any Thing towards the Expence thereof.

"Signed by order of the House.

"THOMAS LEECH, Speaker.

"May 3d, 1758."

—

At a Council held at Philadelphia, Friday the 5th of May, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Joseph Turner,	John Mifflin,	Esquires.
Lynford Lardner,	Richard Peters,	
William Logan,	Thomas Cadwalader,	

Conrad Weiser, Esquire.

Information being given to the Governor that an Indian, William

Sock, with his Comrade, had for some time been tampering with the Conestoga Indians, and that they were, at the Instance of these two Indians, proposing to remove from the Manner, his Honour had wrote a Letter to Mr. James Wright, to inquire into the Affairs, and to invite Sewaise and these Indians to come and see him.

A Letter from Mr. Shippen, of Lancaster, on this Subject, was read in these words:

"LANCASTER, the 3d of May, 1758.

"Honoured Sir:

"I take the Liberty to acquaint your Honour that the Conestogoe Indians are going to leave their Town. I had my information last night from Mr. Ross, of the blue Rock. He tells me, that last Thursday they sent Mr. McKnee to acquaint him they wanted to have a Conference with him, and when he came to them, they said they had nothing at all against him, for he had always been very kind to them in supplying them with all necessary provisions, but that they had been lately at Philadelphia, on a Visit to the Governor, to beg a few Cloaths, and particularly Leather for Moccosins, as they were Naked and barefotted, but that he had (to use their own phrase) broken his Word with them, for after having detained them a good many days in Town, he sent them packing away in the same destitute Condition in which they came; And that seeing this was the Case, and they were not allowed to hunt for Deer among the Inhabitants, They were forced to go into the Wilderness to seek Cloathing for themselves and Families; and they proposed to go a little beyond Fort Augusta, and there to build Indian Cabbins. But as they intended to return in the Spring, they desired Mr. McKnee might be permitted to remain in their Town, and plant Corn, to be divided between his and their Families, when they come back, and as a Token of their Friendship with the English, Old Sohaise gave him a String of white Wampum. And then Mr. Ross answered, and assured them he would supply their Wants immediately from Lancaster. Yet, notwithstanding this Declaration, they said they were resolved to keep there Resolution. Then he let them know, if they would not be perswaded to accept of his Offer, he hoped they would accept of some Beef and Flour for their Journey, and as it would be unsafe for them to pass thro' the Country without an Escort, he would employ Mr. McKnee to go with them to Hunter's Fort, to which they readily agreed. That on Saturday Mr. McKnee came to Mr. Ross again, and told him that the Indians were divided in their Council, whether to go off a Hunting or to stay and Plant their Corn, but that he understood by Betty Sock that Billy Sock (her son) and some of the Young Men were absolutely resolved to go [take her own words] and help the French, May be the English. Since

which Time Mr. Ross has heard nothing of them. However, tho' it be a busy Time with me, As I think this Affair of very great Consequence to the Province, trifling as the Number of those Indians may be, I have thought proper to Visit them immediately, and shall use my utmost endeavours to appease them & keep them back.

"I am, with due respect, Your Honour's Most Obedient Hum. Servt.,

"EDWD. SHIPPEN."

The Governor received an answer from the Commissioners respecting Teedyuscung's Demands, which being read, and the Indians who were attending with Charles Thompson called in, The Governor spoke to them as follows:

"Brother Teedyuscung:

"All that you requested will be chearfully complied with, and with the utmost Dispatch. Mr. Hughes, one of the former Commissioners, who lives in Town, has acquainted me that he is willing, and will soon be ready to go. Notice shall be sent to the other Gentlemen, who all live in the Country. You may be assured that this Business shall be performed to your satisfaction.

"Brother:

"I desire, on your return to Bethlehem, you will not fail to send your Indians to scout and range in the places where the Enemy Indians are know to ——— the Province, and that they may be directed to use their utmost Endeavours to bring in a Prisoner.

"Brother:

"You may remember that I promised you and Moses Tetamy, at Easton, that who was committed on Suspicion of having murdered Indians, they should be tried according to our Laws. I now acquaint you that the Forms prescribed by our Laws have been observed with respect to ———; And no ——— being offered, he could not be found guilty. I am informed he is a ———, and, therefore, I propose sending him out of the Country.

"Brother:

"I have now finished all I have to say to you at present."

Teedyuscung replied to the Governor's Speech in these Words:

"Brother:

"I thank you for your kind Answer to my request about Wioming.

"Brother:

"Be not discouraged; I assure you of Success if you press on. For my part, I shall never let it drop; I will do my utmost Endeavours so as neither one nor two Men shall ever Erect this good Work. I know there are a great many flying Stories and a great

deal of bad News; Nevertheless, let us press on. I would have you Consider I have not all the Indians at my Command; there are many Indians still in the French Interest, and here and there some may be found among us who pretend to be our Friends, but whose Hearts are not true; Therefore, if you desire it, I will go myself, or send some sober Indians back, in order to find out who has done this Mischief; and if you desire it, you may send a white man with my Indians, who will see and Judge for himself.

"Brother:

"As to the Boy who is in Jayl, as nobody was present when the fact was done, he ought not to be condemned to Death; if he be sent out of the Country, it will do very well. I desire no more; I have now done."

The Governor let him know he took very kindly his proposal of going himself or sending some of his discreetest people to find out the Indians who had done the late Mischiefs. He added, that he might depend on his Suffering nothing to discourage him from bringing the present good Work they were engaged to a good issue; and that this Government would faithfully perform all their Engagements, and promote, in every respect, the Good of the Indians.

Teedyuscung, as he was rising to shake hands with the Governor, paused a little and said:

"Brother:

"I never did ask a favour of you before now, and as this is my first Request, I desire it may be granted. There is an hearty, stout Man, very healthy, and One who looks as if he was fit for Business, and such we want; I desire he may be made a Captain in Your Army; his Name is James Perry."

The Governor said he was sorry Teedyuscung did not apply Sooner; All the Captains' Commissions in the Province Service were filled up, but, if he would raise some good men to Serve the King, he would give him a Lieutenant's Commission. For which Teedyuscung returned the Governor thanks, and said he would talk with him; he was not of his Acquaintance, but he was taken with his Military Appearance.

The Consideration of the Intelligence respecting the Conestogoe Indians was resumed, and a Letter read that was wrote to Mr. James Wright, requesting him to sift this Matter, and to invite Sewaise, the head Man of the Conestogoes, to bring Will Sock and the other Indian to see the Governor; and Mr. Weiser was requested to lay in Town, in order to interprete for the Conestogoe Indians.

At a Council held at Philadelphia, Monday the 8th of May, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,	Joseph Turner,	Esquires.
William Logan,	Richard Peters,	
John Mifflin,	Thomas Cadwalader,	

The Governor, on Saturday, received an answer from James Wright, to his Letter relating to the Conestogoe Indians, which was delivered by Sohaise, Will Sock, and a Cayagu Indian called ———.

The Letter was read and ordered to be entered as follows:

"May it please the Governor:

"In pursuance of the Direction thou wast pleased to send me, I went to the Conestogoe Town and delivered the String of Wampum and Message. Bill Sock and the Stranger (who is a Cayagu) agreed to wait upon the. I gave no Encouragement to any other Indian to go; but this Day Chagree and Shahaise came to my House, and told me they would take the Journey with their Brothers; as I believe Shahaise to be an honest Man, and a hearty Friend to the English, I made no objection.

"I have had a good deal of discourse with these Indians, and particularly with Shahaise, who said he would tell me what the Stranger and Sock told him; and as well as I could understand his broken English it was this, that the Six Nations, with all the Tribes in Friendship with them, have had long and general Councils, and the result of them was, that they would send some of their Chiefs to the French and some to the English, and demand to have Boundaries fixed betwixt each Nation and themselves; that if the French on their part refused to comply with this Demand, they would then join their whole Force with the English against them; and though he would not say it, yet it is reasonable to conclude they came to the same Resolution in regard to the English. He mentioned the Twightwees and some other Nations, and said there were several, of which he knew not the Names, who had Entered into this Confederacy. What I have wrote he repeatedly told me, so that I cannot mistake; as Shahaise has been intimate with me many Years, perhaps he may have spoken with more freedom than he would do in any other place, or then the others may do.

"As to any other Intelligence they may be able to give, I cannot learn anything at all from them; neither did I chuse to question them too strictly, for fear of giving them Occasion to think themselves suspected, and perhaps preventing them from Complying with thy request. As to these Conestogoes selling their Corn,

they have usually done it, when they have more than they want for food, to purchase little necessaries; I have heard some time ago that a part of their Number designed to leave their Town, and a part of them to stay, which is still their Intention; but they were purposed to go away privately, for about a week ago they gave a String of Wampum to Thomas McKnee, with a request that he might carry it to the Governor, and acquaint him that a Number of them were going towards Shamokin to get some Deer, as they could not Hunt with any safety in these parts, were barefoot, and in want of Cloathing for themselves and their Families, but that they left their Corn-fields and Cabbins, and should return next Spring; but, notwithstanding these assurances, I am of opinion the younger part of those who go will not return to settle among us, as indeed their way of living will scarce admit of it, for however kind the Government may be to them, yet Hunting is their Natural Employment, and that they have not dared to follow for two years past, except about my Brother's House and mine.

"Shahaise, I am perswaded, will never leave this place, at least he assures me he will not, and that some others will stay with him; and as for them that go, I really think they do not remove from any Dissatisfaction to the English, or evil Designs, but only for the reason they assign, as Thomas McKee tells me they are certainly in want of Cloathing (which I hope the Government will be so good as to take Notice of). McKee likewise tells me the Indians had desired him to meet them in Philadelphia, if he could, least they should not be understood; the Cayagu would not wait till he could go with them, but he purposes to be in town in a few Days.

"The people are so prejudiced against Indians in general that I thought it necessary to procure a Substantial Man to take care of these down. I heartily wish their Journey may be Satisfactory to thyself and of service to the Publick.

"And am thy respectful Friend,

"JAMES WRIGHT.

"May 4th, 1758."

The Indians were sent for, and after the usual Salutations the Governor made the following Speech:

"Brethren, and Brother Sohaise:

"I have been informed that some of our Brethren of the Conestogoe Town were moving away with their Wives and Families, and selling their Corn and Improvements. As you had not given me any notice of this, I was much Concerned to hear it, and therefore sent my Brother Sohaise a String of Wampum to invite him here to see me, that I might hear from him the truth of this story; and if it was so, whether that they were moving from any invitation of your Brethren, the Indians, or from any Dissatisfaction with us;

and I now desire You, by this String of Wampum, to open Your Minds freely to me."

A String of Wampum.

"Brother:

"I was also informed that one of your Brothers of the Conestogoe Town had been in the Six Nations Country, and was lately returned from thence, and he brought with him one of our Acquaintance of the Six Nations. I therefore desire you will inform me what News he has brought from thence, and what passes among our Brethren there."

A String.

Sohaise consulted with the other Indians, and after a short pause return'd an Answer as follows:

"Brother, the Governor:

"You say you have sent for me and my Friends to learn from us if we were leaving your Town, and if so, whether any offence had been given us.

"Brother:

"We are neither leaving our Town, nor have we taken Offence at any thing; all that is in it is, that some of our Indians have a mind to go on Susquehannah, partly to Hunt and partly to trade, that they may provide necessaries for their Families. If the Indians had a mind to go quite away from their Brethren, and leave the place, it would have been my Duty, and I certainly should have done my Duty in giving notice to you of such a Design. But it is not so; and as to myself, were all to go, I would not go with them; I would stay where I am. You were intirely misinformed, depend on the Truth of what I say.

"Brother:

"Before we set out we held Consultation at ———; Thomas M'Kee was present; he is expected in Town every moment; when he comes I shall speak again, having some things to say to you."

Chagrea, Will Sock, and the Cayuga Indian, let the Governor know, that at the Instances of Conrad Weiser, who was in haste to return home, they had told him all the News of what had passed in the Indian Country, and that he had put it down in writing, and had read it over to them, and they desired it might now be read in Council, which was done in these words:

"*Memorandum of the News Will Sock, and a Cayuga Indian named Jorachgnison, both lately come from the Six Nation, taken the 6th of May*, 1758.

"Will Sock said for certain, that he came from an Indian Village called Canowarookary, not far from Canasatagy, the Chief Town of the Senecas, where all the Councillers of the Six United Nations

Sat, and were deliberating affairs concerning the present War, as far as concerned the Indians; that they had Concluded to send Messengers to all the Indian Nations living on the Waters of Ohio, St Lawrence, and Susquehannah River, to desire them to desist from making Use of their Hatchet, for the future, against the English and French, and to send a third Message to the Delawares and Shawanese on Ohio, they had sent two before, to lay Down their Hatchet immediately, and in case they should refuse, to strike them. And that Messengers would be sent to the Governor of Canada, and to Sr William Johnson, not to Employ any Indians for the future, in the War, but to decide their quarrels among themselves, or to some such purposes.

"That a large Visit was intended to Pennsylvania, and many of the Chiefs of the Six Nations included, to talk over Matters of great Consequence, in their Language called Caligh Wanorum.

"But it appeared very likely that the Six united Nations would not much Longer observe a Neutrality, but take up the Hatchet against the French as soon as they could prevail on their Allies, to whom they had sent messengers to perswade them to come into their Measures.

"The aforesaid Indian further informed me for a Truth, on which might be depended, that some time this Spring news was brought to Canasatagy by creditable Indians coming from Ohio to the following purport, vizt:

"That the French Commander at Fort Du Quesne, on the River Ohio, sent Messengers some time last fall to the Indian Nation living on the other side Lake Erie, to invite them to a great Feast which he had, or would make for them, at his Fort; That, according to that invitation, some of the Chiefs of the Wiontots, Onigh-Calliackon and the Qisagechroanu, came, and the French Commander spake to them to the following purport:

"'Children, your Father, Onontio, has roasted a Big and fat Bear for you; a Bear that has been very mischievous, but at last got killed; and I now desire you to Eat heartily of it,' and so throwed down some Belts or Strings of Wampum on the Ground.

"N. B.—That it is an Old Custom with the Northern Indians to throw down the Wampum by which they are desired to take up the Hatchet, and those that incline takes up the Wampum, then they agreed to comply with the Request.

"After some pauses the French Commander said: 'Children, what I mean by the Big Fat Bear is the united Nations whom Onontio has condemned to die, and desire that you, his Children, will assist in destroying them.'

"The Indians were desired to consult and give their Answer Seperate—Each Nation Answer for themselves; which being agreed upon, they came in a Body to the Commander with their Answer to the following purport:

"'Father: (the Wiontots spoke first), I heard and Considered well what you said to us about your feast. I won't Eat of it; and I will die with the United Nations. Take your feast to yourself,' and therewith kick'd the Wampum with his foot towards the Commander.

"After him the Onigh Calliakon answered and said:

"'Father, we won't Eat of your Roast, it is quite Burned; your Fire was too Hot, and you was Drunk when you kindled it, you must Eat the Roast yourself, it stinks; and therewith he gave the Wampum a harder kick and Kicked it toward the Commander's feet.

"The Third Speaker of the Quisagechroanu made the same Answer, with this Addition:

"'Father: Since the Time you stop't our Trade and Correspondence with the English our Brich Cloth is so much worn that we Can't cover our Nakedness no more, and our Women can't cover their Thighs, and are ashamed to walk about. We are now grown very poor, notwithstanding your great Promises what you would do for us. Eat Your Roast yourselves;' and then kicked the Wampum with his foot as far as under the Commander's Seat, or before his feet.

"The French Commander after a long pause replied:

"'Children: I believe what you said to be true. I have made a large fire and burned the roasted burn Meat. I shall take better Care the next time. You must take no offence at this spoiled Feast.'

"These Indians further inform'd me that when they came down Susquehannah River they saw 18 Indian Warriors from Ohio about the Mouth of the Creek called Shochary, on the West Side of that River, with 8 Scalps and Three Live Prisoners, all little Children, one of them a girl about 13 or 14 Years of Age; that the Warriors spoke pretty rough to these Indians, and put them in some fear; that about that Place the Enemy Indians crossed Susquehannah often, and that the said Company of Indians were all Delawares and Shawanese.

"They told me over and over that the Six Nations would never join the French, that as soon as they had strengthened themselves, and secured the Assistance of their Allies, they would fall upon the French.

"That a Delaware Family that came from Tinogan had settled on Susquehannah River between Wyoming and Fort Augusta, and more would soon follow, but would not be Commanded by Teedyuscung who is reported as one that wants to make English Men of the Indians and bring them under the English Government, and reign over them as his Vassals; that his way of acting was disagreeable to the Indians about Tiahogan. But because for the Good

Work of Peace they suffer themselves to be advised by him. That the Indians about Tiahogan are well affected to the English, and no danger of Breaking with them again.

"That Some Time after the Treaty with the said Three Nations several sorts of Indians gathered about the Fort in great numbers in the Indians Cabins, and the French Commander invited the Old Men to come into the Fort, where they accordingly came, and the Commander asked them whether they were a Complete Council. Answered Yes.

"He the Commander said, 'Children, I am Exceedingly glad to see you about my Fort, and so many of your Young Men, will therefore give them a Drink of Good Wine, which will Signifie the Blood of the Six Nations which I desire you will order them to Drink.' Whereupon a Barrel of Red Wine was presented and brought forth to the Young Men in the Indian Cabins, and the Young Men rejoiced at it, and beat out one of the Heads and fell to Drinking. After a while the Old Folks came out, and saw them Drinking, told them it was given them by the Commander, as the Blood of the Six United Nations, at which they all started, and did send their Old Men to the Commander back to let him know that the Six Nations were the Support and Defendants of all the Indians in North America and with them and in their side of the Question they would Die; they thanked their Father Onontio for the Wine.

"This news was confirmed by three Indians of the Wiontots Nation sent this Spring to the Six Nations Country, in particular to Onontago, by the French Commander on Ohio, as spies, to discover their Strength, who told to the Onontayers their Errand and what they came for and made great complaint of the Dearness of the French Goods, and Mischievous design, and desired the Onontayers would erect a Trading House in their Town for the English, And they the Wiontots and many others would come and Trade there; in particular they wanted a Smith; they put the Onontayers in a way how to begin this with safety. They gave a large Belt of Wampum by which they desired an English Trading House at Onondago; that the Onondagos had already sent Deputies to Sir William Johnson to Consult with him about the affair, in order to bring it about as soon as possible.

"CONRAD WEISER.

"N. B.—That when this was told me by the Indian before named, Shahaise, Chagrea, and Seneca George were present, to whom I did read it; George understands pretty much of the English Language; so does Will Sock; and all said it was right Interpreted."

At a Council held at Philadelphia, Friday the 12th of May, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

William Logan, Richard Peters, Esquires.

The Indians, Six Nations.

Conestogos.

Shahaise,
Will Sock,
Seneca George,
Chagrea.

A Cayuga Indian.

Thomas McKee, Interpreter.

"Brother:

"When the two Indians, Will Sock and the Cayuga, came to Conesgoe, we sent for Thomas McKee and desired him to carry a Message to the Governor at Philadelphia; it was to this purpose:

"We let the Governor know that most of the Indians who now live at Conestogoe, intended to remove thence to a place at some distance above Shamokin; that where they were at present their Women could get no Cloaths, nor their Young Men go a Hunting; it was, therefore, determined that the Women should take some Kegs of Liquor with them and sell them for Skins, that would procure their Women Cloaths, and the Young Men with their Hunting, would supply themselves with Shoes and other necessaries. But as they only intended to be absent one Winter, they desired the Governor, by Thomas McKee, not to think any thing a miss of them, for that they had no bad designs. They said it only was, that no Cloaths being given them they were become Naked, and this Measure of going above, thinking, for a while, would procure them Cloaths and other necessaries; at the same time let the Governor know, that as a fire was kindled at Conestogoe that had burnt a long while, and he was born there and lived there all his life, he would not go with the other Indians, but stay and lay his Bones at Conestogo; this, he added, was the purport of one-half of the string. The other half was that the Women left their Houses, Hogs, and Cornfields, and desired they might be put under the Care of Thomas McKee. They further desired that he might be ordered to plant Corn and take care of their Houses and Cattle; for which he should allowed one-half, and the Indians were to have the other half."

Thomas McKee said that this is the String which the Conestogo Indians sent by him, and gave the String of Wampum.

Shahaise proceeded:

"Brother:

"When this Speech was delivered to Thomas McKee, we had not received the Governor's Message. After Mr. Wright had delivered us your Message, we considered among ourselves, and came to a resolution to alter our purpose and stay at Home. Our Women not being able to provide themselves with Matchcoats and Moccasins and other necessaries, was the only reason that induced them to go to Shamokin; but now all that was over, and on what the Governor had said to them, by Mr. Wright, they were determined to stay."

A String.

The Governor made Answer:

"Shahaise and the other Conestogo Indians:

"I am very well pleased with the Account you have given of your Intention to remove; and much more so, that you altered your Resolution.

"The Conestogo Indians may Depend on my protection, and that I will supply their Wants, so as not to put them under the necessity of removing. Shahaise's determination to stay, even if the others should had gone, shews his Love towards his Brethren, and discovers a particular Regard.

"I have directed Mr. James Wright to supply you with Provisions, from time to time, as usual, and shall also earnestly recommend it to the Commissioners to send you some necessary Clothing; at present, you who are come down shall receive a small Present."

Shahaise then Complained of Abraham, who had planted Indian Corn and sowed Hemp in a Piece of their Ground for Several Years, for which he promised to give them every year a Piece of Linnen, but had not paid them for Two Years past. He desired he might be made to do them Justice. The Governor charged Thomas McKee to apply to Abraham, and if he did not immediately pay them the Arrears to let him know and he would order him to be sued and Oblige him to give a Compensation for the Land agreeable to his Engagements.

Chagrea informed the Governor that he was inlisted and had served in the Garrison at Fort Augusta, and that there were Six months' pay due to him, which he desired might be paid him off.

The Governor directed the paymaster, Mr. Young, to settle & pay off Chagrea, which was done.

At a Council held at Philadelphia, Thursday the 1st of June, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell, William Logan, } Esquires.
Richard Peters, Thomas Cadwalader, }

Brigadier General Forbes & Major Halket.

12 Cherokees, } Indians.
Seneca George, }

Wheunclowo, speaker for the Cherokees.

John Hart, Interpreter.

A Letter from the Governor of Louisiana was delivered by Captain Viviat, Commander of a Flag of Truce that arrived the 26th of May from New Orleans, together with a Roll of the Prisoners and the Commission for a Flag of Truce, all which was read.

Yesterday Twelve Cherokees arrived in Town from Winchester, conducted by a Son of Seneca George; they brought Passports with them from S^r. John S^t. Clair to the General, and from the Officer Commanding at Winchester to the Governor. By these Passports it appeared that only four Cherokees were deputed by their Nations, and that the rest were at Winchester before he came and had joined themselves to them without Knowledge of S^r. John S^t. Clair.

The General was invited to Council and took his place next to the Governor.

The Governor spoke as follows:

"Brethren and Warriors of the Cherokee Nation:

"I bid you welcome in the Name of his Majestie's General and myself. If there can be any thing in which we can do you service it will give us pleasure if you will be pleased to communicate it."

A String.

Wheunclowo made Answer:

"Brothers:

"I am not a Chief Man myself, I am deputed by the Chiefs of my Nation to travel this Way. I am extremely glad at the good reception I have met with from you our Brethren. The Chiefs of my Country desired me to attend carefully to all the Speeches that should be made to me by you our Brethren, and to remember them.

"Brother:

"When I passed by last fall, the Secretary who sits there

desired me not to go to War, but to be careful, and return with such Messages as the Chiefs should send in Answer to what I carried to them from the Six Nations and their Brethren.

"I assure you that the Warriors now present received a Message from the King of Great Britain to come to War against the French, and on receiving this Message, they have come with minds Exasperated against the French, and wherever they see a Frenchman they will knock his Brains out. They are now come so far on the Road against the Enemy, and as soon as they arrive in the Mohock Country, they will Joyn their Brethren, the Mohocks, and Fight with the English against the French. Some of these now present are very good Warriors, they have already killed two of the Enemy, two Shawonese."

A String.

"Brothers:

"They were promised Cloathing and all necessaries if they would go to War. They now acquaint you that they have received nothing at Winchester, and expect to receive what is proper for them as Warriors here."

A String.

The General ordered the Interpreter to tell the Indians that they should be Cloathed, and Provision made for them in their Journey whenever they inclined to proceed.

The Cherokee Deputy replied, that they would stay this Night and to-morrow, and go on the next Day after, and all the other Indians that were in Town would go with them, which was agreed to.

The Governor acquainted the Council that he had received a Letter by the Richard and William, Captain Daily, from the Proprietors, giving their Assent to his passing a late supply Bill, and it gave the Governor much Satisfaction that the Bill passed was agreeable to the minds of the Proprietors.

At a Council held at Philadelphia, Monday the 5th of June, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell,	Joseph Turner,	Esquires.
William Logan,	Richard Peters,	
Benjamin Chew,	John Mifflin,	
Thomas Cadwalader,		

The Governor acquainted the Council, that he had summoned

them, at the desire of the General, to Consider of proper Messages, to be forthwith sent to the Senecas and to the Susquehannah Indians, who were grown dissatisfied, and were for leaving their Habitations, especially our Old Friend, Packsinosa, and his Family and Friends; That what gave them disgust at present was their having heard that the Cherokees were sent for by their Brethren, the English, to cut them all off the Susquehannah, & that the English was going to Settle and Build a Fort at Wyoming.

This account was brought by Benjamin, a Mohiccon, on the 29th of May, to Bethlehem, and being presented to the Governor, and by him communicated to the General, he was of Opinion that not a moment should be lost, but Messengers should be dispatched forthwith, as well into the Tweetwee Seneca Country as to all the Nations, those in particular who lived on the Susquehannah, inviting them to come here forthwith, and let their Brethren know what Means they were finally determined to take.

The General said he would come to Council and join in the Messages, and procure Messengers, as he understood there were some in Town to be got, white Men as well as Indians, would go to the Ohio, and into the Indian Country.

Information of Benjamin, an Indian who came to Bethlehem, May the 29th, 1758, *Viz*ᵗ:

"Benjamin, a Mahakin Indian, living near Bethlehem, got Words from his own Sister, a Widow, with Three Children, living at Ceninga, the Nanticokes Town, that he should come up there and fetch her to Bethlehem to her Friends here. He accordingly set off here 5 Weeks ago, and was 12 Days on his Journey thither. From here to Wioming he saw no Indians, yet heard some at a little Distance from him, but had no mind to shew himself unto them.

"Near Diahogo he found Old Paxnous, with his Sons, Sons-in-Law, and whole Family. Paxnous asked Benjamin whither he was going, and on hearing that he would fetch his Sister at Ceninga, he told him he would hardly find her there; all the Indians were in a great Hurry to remove from the Susquehannah, because they had heard the English had very bad Designs against the Indians, and those who did not fly from the Susquehannah would all be murdered. Benjamin asked Paxnous whither he was going with his Family. He answered, to his Land at the Ohio, where he was born, and told him many things he had heard against the English, in Favour of the French. They had also heard the English would settle Wioming under a pretence, it should be for the good of the Indians; but their Intentions were quite the Contrary, they would build a Fort there and take the Lands from the Indians; but their project would certainly fail them, as there would be Indians enough to watch them. Benjamin tried to pacify him, and told him what Teedyuscung had made out with the Governor, and all what they

intended was out of Love to the Indians, but Paxnous was quite Deaf to hear any thing in Favour of the English, and said, they pretend well and mean ill, but the 5 Nations think quite otherwise than thou. One of the Company replied to Benjamin's words about Wioming; I could never believe it so bad as we have been told that it was. Paxnous also told him that he was lately called to a great Council at Onondago, at which it would be determined what side they should take, and by that Resolution they would then abide, but as he had already resolved to move to Ohio, so he was not gone to Onondago.

"Paxnous and his Eldest Son tried thereupon to perswade Benjamin to go along with them, but he hastened as much as possible to reach Ceningo in fear to miss his Sister.

"At his arrival there, he heard that none of the Indians would plant there this Summer, and that many had moved already nearer the French for fear of the English, but when he told them the real Intent of the English with Wyoming, and that it was quite Contrary to that what they had heard, they resolved to stay and plant again. As long as he staid at Ceninga they had every Day new accounts and Stories of the bad Designs the English had against the Indians, and many Warriors, Maquas or Mohocks, passed thro' there at that Time. Several Nanticokes spoke to some to take away their prejudice that they had against the English, but it availed nothing; they semed much incessed at it that the English had called the Cherokees and Catawbas into their Country merely against the Indians, but they would watch them, and it should not go well with them. He also was told the Maquas did make very big Eyes; that so many English did go to the Ohio, and they would send as many Warriors there as they could spare.

"When he was about to set off from Ceninga with his Sister, the Indians told him it would be impossible for him to reach Fort Allen without being intercepted or murdered by the French and their Indians, of which a good many were gone to them parts; but when he persisted in his Resolution, his own Brother and another Indian resolved to accompany them, to see them safe to Bethlehem.

"In coming down the Susquehannah, about 12 Miles above Wioming, they saw 4 Canoes made of Bark and Two Floats, in which, as he thinks, some Indians crossed the River, who would repass it soon again, because the Canoes were hid under the Bushes. He saw afterwards 3 Indians each leading a Horse without Saddle, not far this side the River, and a Woman of his Company, who walked just then to cut off an Elbow of the River, met Five More who belonged to one Company with the other Three. One of the Five spoke to the Woman and told her they had taken no Scalps & hurted nobody, but had only stolen some Horses and by the Course, they had come from Broadheads.

"They met also a Maqua Indian coming from Shomokin; he asked them if they had seen any thing strange upon the Road, and when they told him of the Canoes and Floats he said he had also seen some Floatages below Wioming; there would soon be Mischief done.

"At Wioming Benjamin did not go to the White People there, but met Teedyuscung not far from there, with whom he sat down and related unto him all what he had heard and seen at Diahoga, Ceninga, and on his Way, at which he seemed quite amazed, particularly that the Maquas did now act in such a manner, when they had given him commission to make Peace and he having sent them Word they would come and Build in Wioming, and that there was nothing bad in it but all good; he said he would keep a good look out, and if any one did attack one of his Brethren the English, him he would attack again; he would go himself to the Five Nations and search for the Evil which had possessed them, and if he did find that he was not Strong enough to withstand the Evil, he would retire again to the English, to their Enemies he never would go again.

"P. S.—A few Indians at Ceninga, told Benjamin they did not think that the Maquas or Mohocks were in Earnest to help the French on the Ohio, but rather believed it to be a Stratagem to Seduce the French and to get Admittance into the Fort, for the good of the English."

The Above Intelligence being considered, it was the unanimous Opinion of the Council, that the Difficulties attending the Governor's procuring Persons to go as Spies or Messengers on any Occasion would be very great, unless a Sum of Money could be lodged in the Governor's hands for that purpose, in which case Mr. Weiser, Mr. Logan, or Mr. Peters could, from their long Acquaintance with Indian Affairs, find some other Indians who would undertake the Journey, if they were before hand promised a Compensation for their Trouble. Whilst the Council was deliberating on Messages proper to be sent to the Indians, and on the means of conveying them, The General came to the Governor and Conferred with him on these matters. After which the Governor acquainted the Council that the General pressed the Messages and would join them. Draughts of which being prepared were read and approved, and it was likewise agreed that the General should join in them and Endeavor to get Messengers to go with them forthwith.

Mr. Logan and Mr. Peters were appointed a Committee to confer with the General on the Indian Message and it was recommended to them to take the assistance of Mr. Weiser.

The Cherokee Deputy being seized with a Violent Pleurasie, Mr. Peters was desired to take all Opportunities of getting from him the purport of his Message, least if he died they should be lost.

Francis Campbell having declined to Accept the Commission of

Indian Agent at Fort Augusta, The Commissioners appointed by the Act of Assembly to Trate with the Indians, presented the Governor on the 30th of May the nomination and recommendation of several Persons, one of which the Governor was to fix upon for an Agent at Fort Augusta, and the Governor having advised with the Members of Council, Commissionated Nathaniel Holland.

At a Council, &c^a^ Thursday, 22d June, 1758.

The Messages to the Seneca Indians & to Teedyuscung were read & ordered to be entered as follows:

"*A Message from the Governor of Pennsylvania to Teedyuscung, and the Indians at Wioming.*

"'Brother Teedyuscung and all our Brethren the Indians settled at Wioming, hearken to what your Brother the Governor of Pennsylvania says to you.'

"A String.

"'Brother:

"'I am informed that the Indians about Diahoga and Osaningo are very uneasy with respect to two matters; One, that great Numbers of Cherokees and other Southern Indians, should come so far North; The other that we have assisted you in settling at Wioming. Now, Brother, in respect to the Cherokees, they came from their Country at the Invitation of his Majesty and the Southern Provinces, to help the English General in the present Expedition against the French, and we can assure you that Notwithstanding the reports that have reached your Country, these Indians are not come on any evil Design to hurt you, but to help their Brethren, the English; had it been otherwise, you would have heard from us, for we would never suffer them to hurt you.'

"A String.

"'Brother:

"'I have the pleasure to assure you that there is now in this City a Deputation of Cherokee Indians on their Way with Messages to the Six Nations and they have likewise a particular Message to you and the Delawares. They tell us all is good News for you and us. But the Cherokee entrusted with the Messages is taken sick in this Town and cannot yet proceed on his Journey.

"'As to the other part, respecting the Building of Houses at Wioming, you are so well acquainted with our motives and good Intentions that you are quite able to answer for this Measure to the Six Nations or any other Indians who think amiss of it, and we desired you will take all possible care to set this matter in a true Light everywhere, as it is entirely done at your request and for the good

of your Indians; And that as soon as we have the opportunity, we have been some time past expecting, of seeing and Conversing with them, we will fully adjust this Matter both to your and their Satisfaction.

"'Brother:

"'As a mark of the Confidence we place in you, and as a full proof of the good Intentions of the General and Commander-in-Chief of the Army of our great King, whom you saw when you were last in this City with me, in the Messages that will be delivered you along with this, and hopes you will approve of them, and either deliver them yourself or send them by trusty Persons to Diahoga, and order it so that the part which relates to your Brethren on the Ohio be sent forward to them by the fittest Persons that can be got, and with the utmost speed. If you find we have omitted any thing that is necessary, which you are assured will promote the good Work of Peace, we desire you will add it.

"'Brother:

"'As the Road of Correspondence by way of Wioming is open, and we are convinced of your Sincerity in doing us all the Service in your Power, we now send you some white Men with those Messages, that they may be truly and fully explained to you, and we depend on your protecting and seeing them safely conducted thro' the Indian Country.'

"A string.

"'Brother:

"'We know that the Senecas are your particular Friends. We would therefore have you send this Belt as an invitation to them in our Name, that some of their Chief Men may come along with you to confer on Various matters relating to the public Good. You may assure them that we are determined to fulfill all our Engagements and will put into our Pipe some good Tobacco and smoak together, and we earnestly press them to come by this Belt, and desire you to join another of your own to it to Strengthen our Request.'

"A Large Belt.

'"Brother:

"'As I hear there are many Parties of Indians scattered up and down in the Woods near Wioming, I desire you will endeavour to call them together, and to find out what Errand they are come upon, and send one or more of your Indians immediately off to me with the Accounts, and he shall be satisfied for his Trouble.

"'Brother:

"'I desire you will inquire of the Indians at Diahogo what is become of Essaway-wolling (Daniel) and the Belts that were sent by him into the Indian Country, as you may remember we particu-

larly, by one Belt, invited the Senecas down here; having heard nothing from him, we are afraid those Messages are lost.

"'Brother:

"'It may not be in our power to restrain the Cherokee parties when out of our Sight, from going beyond the Limits assigned them, as some of the Young Warriors are rash and headstrong.

"'I desire, therefore, you will caution our Friendly Indians of this, and press them to keep on this side of the Susquehannah, if they come Lower than Fort Augusta, and not to go over the West Branch of Susquehannah.'"

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"*A Message from the Governor of Pennsylvania and the General and Commander-in-Chief of his Majesty's Forces destined to the Westward, to the Susquehannah Indians.*

"'Brethren:

"'You who live on and near Susquehannah, and all those who incline to live in Peace with the English, and are willing to promote and strengthen the peace among the other Indians, hearken to this Message, which we are going to deliver to you in behalf of the Governor of Pennsylvania and the General and Commander-in-Chief of His Majesty's Army in these Parts.'

"A String.

"'Brethren:

"'You know how cruelly the French on the Ohio, and the Indians under their influence, have murdered the King of Great Britain's Subjects and Children, in the Provinces of Virginia, Maryland, and Pennsylvania, which has induced His Majesty to send a great Number of Troops to chastise the Children of the French King and their Indians. The Southern Indians, out of regard to the King of Great Britain, and at the Request of the Southern Provinces, are Come to help us and revenge the Blood of the English spilt by the French and their Indians.

"'Brethren:

"'Out of Brotherly Love to you our Friends, we have sent this Belt on purpose to acquaint you with our Proceedings, and desire you would send privately to your Friends and Relations at Ohio, to come away to your Towns and there sit still. If they will do so we will take care that neither they nor you shall be hurt; we should be sorry that any of those who have an inclination to come home to their Native Country, and live in Peace with us, should suffer; and therefore as these Southern Indians who are now with the King's Army are very numerous and exasperated against the French and

their Assistants, we send you this Belt and earnestly press you to come away.'

"Here give a White Belt, wone that has Little Black in it.

"'Brethren:

"'You know a great deal of Pains has been taken by this Government and some of your Nations, in order to dispel the Clouds that arose from the North and darkened our Country. We sometimes thought that they were entirely Dispelled, but we find here and there a Cloud, and we do not as yet see clearly one another's Faces. We therefore invite you to come down to us as quickly as you possibly can, and you will find us willing to talk over every thing, and clear up the Sky intirely that all darkness and Clouds may be dispelled.'

"A String of Wampum of Seven or Eight Rows."

The Governor informed the Council that the Messages were sent by Frederick Post, one of the Brethren of Bethlehem, a German who had resided in the Indian Country for some Years before the War, was well acquainted with the Susquehannah Indians and talked the Delaware Language; that he was fortunately in Town, when it was under Consideration by whom to send the Messages, and kindly offered his Service to carry them, which was accepted; and Mr. Charles Thompson offering likewise to go with Frederick Post, it was agreed to, and a set of Instructions given them which were read.

These Messengers set out directly and went as far as the Neskopekan Hills, where meeting with some Indians coming to Bethlehem they were informed of several Parties of Enemy Indians skulking up and down in the Woods; were advised to proceed no farther, but to send for Teedyuscung and deliver him the Messages there, which was accordingly done, and they returned without going further. On the 16th Instant they made a report to the Governor of their Journey, and deliverd the Minutes of the Conference between them and Teedyuscung, which were read and ordered to be entered as follows:

"At a Conference held on the East Side of the Nescopekun Mountains, about 14 or 15 Miles from Wioming, Monday, June 12th, 1758, between Charles Thompson, Frederick Post, Messengers from the Government of Pennsylvania, and Teedyuscung, King of the Delawares.

"At which were present:

"Tepiscahung, Memenwoot, or Capt. Augustus, Mampoohalind, or David, Pemelaweghink, or Samuel Evans, Alamercchum, or Jonathan, Nalananguenund, or Paulus, & Hanas, Delawares; Kulpoowa, Welawamick, or Moses, Gootamek, or Moses, Junr. Queasekomen,

or Adolph, and Akowan, Mohicons; Kelkapugh, or Isaac, a Captain of the Munseys, Moses Tetamy, Isaac Still, Interpreter.

"After Charles Thompson and Frederick Post had delivered the Messages from the Government, Teedyuscung took a String and said:

"'Brother, the Governor:

"'I am glad to see your Messengers in the Woods, and am glad to hear and receive such great and good Words here in the wild Bushes.

"'You may remember, Brother, I have often told you we have one Ear which has two openings; One comes out here, the other where you Live; when I hear of anything you shall hear it; this makes me tell your Messengers to go back from this place, and not to go forward.

"'Brother, the Governor: what makes me not invite your Messengers to my House, is that I don't yet know the Design of these Indians that lie squatting in the Bush; and if any ill should befall these Messengers, that might darken the Heavens and make great Clouds between us.

"'Brother:

"'I often told you, when we first began to make Peace, nor did I speak from the Lips, but from the Heart, that every thing should be published, and the Peace between us made known; and that if any body gave you a Blow not to impute it to me.

"'Now Brother, when I live here I am very uneasy, even at Night I cannot enjoy rest; I see a great deal of Mischief done, and some who have done the Mischief came past my Door; now I am afraid if your People follow them, and comes as far as where I live and find me, they will think it was I did it, and so fall upon me.'

"4 Strings.

"'Brother, the Governor:

"'The Indians have sent to see what was doing at Wioming, and they have sent me word that a great Number will be with me in Eleven Days, and many of those all this Summer, all the Wanamis and Mohiccons, and many others having resolved to come and live with me.

"'Now, Brother, I desire to know what I shall do, I have no Provisions for them. I beg you would help me, and if you will give me any assistance of that sort, I desire I may have it from Shamokin, not from Fort Allen; my Young Men can soon go down the river in Canoes and fetch it from Shamokin, but the to Fort Allen is very Difficult. I desire I may have some Indian Corn with the Flour. I am likewise in want of Powder and Shot, and beg you would send me some.

"'Brother, the Governor:

"'I would chearfully go with your Messages, which are good, but I every day expect Messages from different Parts; however, I will send by some trusty Persons, and I assure you the Senecas' Belt shall be delivered to the Chief Man in Eight Days. I have already sent a Belt to the Senecas, and every Day expect an Answer. We must have a Treaty this Summer; Of the Six Nations I can now promise; the Onondagos will come; of the rest I can say nothing till the return of the Messengers.'

"3 Strings.

"As the Messengers were preparing to set out, Teedyuscung came to them, and asked whether Mr. Hughes had delivered to the Governor the French Colours which he (Teedyuscung) had taken from Will Sock. They told him they did not know. He then desired them to ask the Governor whether he had received them, and whether he had given Will Sock those Colours, or whether he kept two sorts of Colours. If, said he, the Governor has two sorts of Colours, and gives one sort to one Indian and another to another, that will breed confusion."

On the 2d Instant Mr. Hughs and Mr. Pawling returned from Building the Houses at Wioming, and on the 7th Mr. Hughes waited on the Governor, and presented him the Report of their Proceedings, which was read in these Words:

"Sir:

"On the 15th of May I proceeded, agreeable to your Honour's Request, to Build and Plant for the Indians at Wioming; and at Bethlehem I met my Companion, Mr. Pawling, and the next day we march'd with between Fifty and Sixty Carpenters, Masons and Labourers, and after a very Fatigueing Journey, arrived at Wioming on the 22d, and the next Day we put the Hands to Work. But as the Battoes did not arrive from Fort Augusta at the Time appointed, we were brought to very short allowance in Provisions, &c^a. Indeed, for Several Days we had no Bread at all, which created a good deal of Uneasiness amongst the Men. But, however, we kept the Business going forward as well as we could, until the 27th, when Joseph Croker, one of our Masons, was kill'd and Scalped by Six of the Enemy Indians; this misfortune made our People very uneasy. But however, the Battoes arrived next day with Provisions, which enabled us to carry on the Work untill we finished Ten Houses, mostly 20 feet by 14 in the Clear, And one of them 24 by 16 of Squared Logs, and Dovetail'd. We also plow'd some Ground for them to plant in, and we Split some Rails to Fence it; After which they thought it proper to let us know that as it was late in the Season, and the Grass grown very high, So that the Ground when plow'd was not fit for Planting, but in a few Places, such as Old Towns and the Like, we might return untill a more favourable Opportunity,

which we complied with on Friday the 2nd of June, and got Safe home Tuesday Evening following.

"I send you a French Flag which Teedyuscung took from Will Sock and his Companions. They came up to us as Friends, altho' I now understand they murdered Chagrea and the Dutch Man in Lancaster County, but we knew nothing of that, and therefore treated them as Friends, and Teedyuscung gave them an English Flag.

"I am, Sir, your Hm^t. Servt.,

"JO^H. HUGHES.

"Phil^a., June 7th, 1758."

Mr. Peters laid before the Governor and Council the Interpretation of the Message which the Cherokee has to deliver to Teedyuscung, in Answer to one given by Teedyuscung to the Cherokee, as he was returning from the Six Nations to Kiowies last fall; he had another Belt from the Cherokee Town to the United Body of the Six Nations. Mr. Peters added that the Interpretation was taken while the Cherokee was in his perfect Senses, by Hart, the Interpreter, who subscribed to the Truth of it. It was read and ordered to be entered.

"*A Message from Techtama and Homwhyowa, or the Wolf King, the Two Chiefs of the Cherokees, to the Delawares, as it was delivered by Lowe, the Messenger, at Philadelphia, to Mr. Peters and Israel Pemberton, June 20th,* 1758:

"John Hart, Interpreter.

"'Nephews:

"'We some time ago received a Belt from you at which we were glad, and are exceeding desirous to hear again from you.

"'Before this Belt came we had not heard from you a long time, and would be glad to hear oftener, and promote a good understanding with you.

"'Nephews:

"'We should be glad you would come to our Town to see us, It is a great while since we saw you. The King of this Town called the Wolf, in particular, will be glad to see you.

"'We have to acquaint you that we have received a Tomhawk from our Elder Brother, the English, and are going along with them to the war against the French, and the Indians that are his Allies.

"'We are going to war along with our Brothers, the English, but, as for you, you need not be uneasy or apprehensive of our doing you any mischief, for we love you as ourselves from the Heart, and will not hurt you, for we look upon you as ourselves.

"'Nephews:

"'Our Eldest Brothers, the Six Nations, have likewise given us a Tomhawk and desired us to join with our Elder Brothers, the English. But we desire you would be under no apprehensions, for we do not intend to hurt you, our Nephews, at all.

"'Nephews:

"'Listen to us. We do not desire you should go to War at all, Formerly you used to Wear a petticoat, and did not use to go to War, and we do not now desire you to go to War; you may stay at Home and we will fight for you; we are resolved to go to war along with our Brothers, the English, that you need not go to War.

"'Nephews:

"'We are sorry there should have been a kind of Shyness between us and you for a good While past, we earnestly desire we may make a firm and lasting Peace. We suppose other Indians may envy our Peace, Friendship and good Understanding, and tell strange Stories, but we desire you, our Nephews, may not give Credit to such. When we speak to you we shall send you Belts, and unless you receive Belts from us, we desire you would take no Notice of the idle Reports you may hear. But when we send you our Belts we desire you then may regard what we send.

"'Nephews:

"'We earnestly request that you would come and see us the Ensuing Spring, at some of our Towns, that we may have the Opportunity of conversing more freely than we can at this Distance from each other.

"'Nephews:

"'We desire you to tell your Women to be industrious & plant Corn, for they may do it safely, that they may have Enough for themselves when you come to see us, and Provisions for your Journey.

"'Nephews:

"'We, your uncles, the Cherokees, have a real Love and Regard for our Elder Brothers, the English, and we hope and desire you may have the same Love for them that we have. It is out of our particular Love and regard for them that we join in the War with them. We have already demonstrated our affection for our Elder Brothers, the English, by killing 20 Frenchmen, 12 Tawas, and 2 Shawanese.

"'Nephews:

"'We, the Chiefs of the Cherokees, will wait and smoke our pipe in expectation of our Nephews coming to see us. We will endeavour to keep the Road clear for our Nephews, the Lenopis, to pass, and we hope you will come, and we shall be glad to see you.

"'Nephews:

"'You know or can have a clear guess how many of your Country People are Leiving on the Ohio among the French. We earnestly desire you would endeavour to bring them away, for the Tomhawk we have received from our Elder Brother, the English, is exceeding Sharp. It is a good Tomhawk; we are afraid we shall kill some of your ——— in a Mistake, which we shall be very loath to do. For which reason we desire you to bring them away if possible, that so they may join with the English. Why do your People stay there to help the French when they get nothing from the French? They should come and settle with you and leave the French. We again request you to bring away the Lenopis and leave none there but the Shawonese and Tawas. Let them remain there. They are in Alliance with the French, and are firm friends of the French. As for our Parts, we have had War Time out of Mind with the Tawas, and intend to continue the War with them and the Shawanese on the Ohio. Why do your people Continue with the French who give them nothing?

"'Nephews:

"'We hope when you come to our Towns in the Spring to see us, you will bring us the good News that you have removed your Brethren from the French and Shawanese and Tawas, the friends of the French on the Ohio. We shall smoke our pipe and wait impatiently for this good News, and Endeavour to keep the Road clear 'till you come.'

"Here delivered the Belt.

"Being asked to whom he would have the Belt delivered, he said to the Chief of the Delawares. Being asked his name, he said he did not know; but desired to be informed who it was that sent a Belt last Fall to the Cherokees, and being told by Mr. Peters that it was Teedyuscung, he desired this Belt might be sent to him, and as soon as it could.

"He likewise desired that the Chief of the Delawares might be informed that as he had another Belt for the Six Nations he intended as soon as he was recovered to go with that by water *Via* New York. And as he cannot go with this Belt to the Lenopi he hopes what he now sends will be satisfactory.

"The above is a true Interpretation.

"JOHN HART."

The Message to Teedyuscung from the Cherokees being Judged to be of very great Importance, and what would be of good Service at this Time to remove the wrong Notions entertained of the Cherokees by the Susquehannah Indians, Frederick Post was employed

to go with it to Teedyuscung, The Governor writing the following Letter to Post by way of Instructions:

"PHILADELPHIA, June 20th, 1758.

"Sir:

"The Cherokee Messenger recovering of his Indisposition, I caused him to be examined as to the Belt he has to deliver to the Delawares, and I inclose you a Copy of the Interpretation, which as you know was taken in the presence of Mr. Peters and Israel Pemberton.

"The Cherokee gave the Belt, desiring it might be sent to Teedyuscung, and as it is of so important a Concern, I earnestly desire you would take the Charge of it and deliver it yourself to him at Wioming, or if upon your arrival at Fort Allen you shall find it not Safe to go farther, you may employ one or more trusty Indian to carry it, taking care that they thoroughly understand the full Sense of it.

"Please to let Teedyuscung know that the Cherokee is oblig'd to go to the Six Nations by Way of New York as soon as he is well.

"I thank Mr. Thompson and you for your Diligence and Care in the Execution of the Trust reposed in you, and for your full and Satisfactory Account of your Proceedings.

"You will be pleas'd to return my Thanks to Teedyuscung for the Assurances he gave of sending forward the Messages. His Continuance at Wioming is of great Service. His uneasiness at the Mischief done shows a sincere affection, and his giving us from time to time information of the Motions of the Enemy Indians is a farther Confirmation of it. I shall make known the Steps taking by him to bring about a Peace, and hope that none will hurt him in reverse for what others do, or at least I will try my Endeavours to prevent it.

"Orders are sent to Shamokin, and you have Duplicates of them to send by Way of Wioming, that a Supply of Provisions be delivered to Teedyuscung's Messengers, and a further Order shall be sent to give them a proper Quantity of Powder and Lead.

"No Flag was given by me to Will Sock, the one got by Teedyuscung is not an English one. The General has made, as he tells me, an alteration in the Fly, and if one of the New Flags can be got here, it shall be delivered to you now, if not, one shall be sent as soon as possible.

"By a mere accident, the Indian Store at Augusta is Shut; the Agent, on the passing of ———, oblig'd to come to this City. But he shall be sent to Augusta again in a very short time, & Goods will be sold as before; of this you make mention, if you think it necessary, or if any Notice be taken of it to you.

"I wish you a good Journey, and desire you will apply to the Commissioners for your Expence.

"I am, Sr, your most Humble Servant,

"WILLIAM DENNY.

"To Mr. FREDERICK POST."

Captain Hewet, the Commander of a French Vessel that was taken in the Bay by the Privateer Spry, made complaint to the Governor that he was unlawfully taken, being in Commission as a Flag of Truce to carry some English Prisoners, about Twenty, to New York, and that he put into Delaware Bay by Stress of Weather, or for want of Provisions, and prayed the Governor would discharge the Ship, and suffer him to proceed to New York. The Captain being sick sent his first Lieutenant with a Letter, under seal, directed to Governor Delancey, which he said was from the Governor of Cape Francois. The Governor returned the Letter, declaring he had nothing to do with it, on which the Lieutenant broke it open and read it. Its purport was, that Captain Huet was sent as a Flag of Truce with Twenty Prisoners. But it appearing, on Examination, that the Captain had broke bulk, and had sent up here great Quantities of Sugar and other valuable commodities, and was on a Trading Scheme, The Governor dismissed the Petitioner, and left him to the decision of the Court of Admiralty whether he was or was not a lawful Prize.

At a Council held at Philadelphia, Wednesday the 5th of July, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell, Richard Peters, } Esquires.
Lynford Lardner, Thomas Cadwalader, }

A Letter of the 22d June, from Governor Bernard to the Governor, was read in these Words:

"Sir:

"I take the first Opportunity upon my arrival into the Western parts of New Jersey, to inform your Honour that I have pursuant to his Majesty's Commission, taken upon me the Government of New Jersey, and shall be glad to receive your Honour's Commands for his Majesty's Service.

"I have had the mortification immediately upon my arrival to have advice of an incursion made upon our Province, attended as usual by great Barbarities, by Indians who are suspected to be of those who made a peace with your Honour's Province. I have for the present taken Measures to put a Stop to these disorders. I shall,

in the next place, endeavor to prevent them for the future, by means of Peace, in which I shall be glad to be assisted by your Honour. If these fail, I shall immediately endeavor to pursue our Enemies into the Heart of their own Settlements. I think it would be of use for these two Provinces to act in Concert on this Occasion, and shall do all that I can to make such a —— of good effect.

"I had the pleasure to spend some agreeable Hours with your Honour at Colonel Robinson's, when I believed neither of us imagined that we should so soon be neighbours in this part of the World. I hope we shall cultivate this advantage with mutual pleasure.

"I proceed to Burlington to Night, and am, S^r^ your Honour's most

"Obedient Hum. Servant,

"FRA. BERNARD.

"Trenton, June 22d, 1758.

"P. S.—I hope to stay at Burlington all to-morrow."

On receiving this Letter, the Governor had a Consultation with the General, in which it was thought proper to invite Mr. Bernard to a Conference on Indian Affairs, whereupon, he returned by Governor Bernard's Express, an Answer to his Letter.

Whilst the Governor was writing the Letter he received Intelligence from Captain Busse, and from Captain Read, that there were several parties of Enemy Indians on the Frontiers of Berks County, that on the 13th, they had taken and carried away the wife of John Franks with Three Children, 6 Miles from Fort Henry, and likewise had killed the Son of Jacob Snabelee, who was found scalped, with 6 Shot in his Body.

Justice Read writes that on the 18th of June, Bernard Long was killed riding along the Waggon Road, about a Mile from his House. On this Intelligence the Governor added a postscript to Governor Bernard's Letter by the advice of the General.

In Consequence of this Letter, Governor Bernard came to Town next morning at 11 o'clock. The Indian Papers containing all Indian Transactions since the Commencement of the War were laid before him, and Copies given him of all the Transactions, and in the Conferences held between the General and the two Governors, it was agreed that Mr. Bernard should recommend it to the Commissioners for Indian affairs, who waited for his return, to consent that he should send a Message to the Minisinks and Pumpton Indians, inviting them to come to Burlington, and promising to redress injuries if any they had. The next Day Governor Bernard returned home, and on the 26th of June, passports were made out, at the request of Governor Bernard, to Moses Tetamy and Isaac Still, the Messengers employed to carry to the Minisink Indians Governor Bernard's Invitation.

The Sick Cherokee being recovered, he proceeded to Sir William Johnson, having first given to the Secretary the Interpretation of the Belt which he was carrying to the Six Nations; which was read, and Likewise the Letter wrote by the Governor to Sir William Johnson, along with the Cherokees.

The Governor having received a Letter from General Abercombie, inclosing the Declaration of the Setting aside the Capitulation made at the surrender of Fort William Henry, the same was read and ordered to be entered:

"*General Order from Major General Abercombie, declaring the Capitulation of Fort William Henry to be void:*

"FORT EDWARD, June 25th, 1758.

"The Enemy having become Masters of Fort William Henry, by virtue of a Capitulation made upon the 9th of August last; which Capitulation they immediately broke, in a most Notorious and flagrant manner, by murdering, Pillaging, & Captivating many of his Majesty's good Subjects, in Violation of the said Capitulation, as well as of the Laws of Nations. Upon these Considerations, and in Honour and Justice to his Majesty's Arms, Major General Abercombie hereby declares the said Capitulation to be null and Void; and that all Officers and Soldiers serving the 9th of August last, at Fort William Henry, are hereby empowered, and Commanded to serve in the Same manner as if no such Capitulation had ever been made, All which Major General Abercrombie has notified to the Governor General of Canada, signifying to him at the same time, that if any of His Majesty's Subjects supposed to be Comprehended in the said Capitulation, may fall into the Enemy's hands, and Violence follows thereupon, that he will retaliate on the Persons of the French Prisoners now in his hands, as well as on all such as shall be taken hereafter by Sea or Land.

"The above to be published at the Head of every Corps in his Majesty's Service in North America."

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Extract of a Letter from his Excellency Major-General Abercrombia, Commander-in-Chief of all his Majesty's Forces in North America.

"*To his Excellency the Marquis de Vaudrevil, Governor-General of Canada, bearing date at Fort Edward, June 26th,* 1758:

"Sir:

"I have the Honour of your Excellency's Letter of the 4th of June, with Sundry Enclosures in relation to the Capitulation of Fort William Henry made the 9th of August last. Without entering into a Discussion of Particulars, Give me leave to acquaint

Your Excellency that a Breach of that Capitulation of the part of the Forces of the King, your Master, immediately after the Surrender of that Fortress was so notorious, Contrary to the good Faith which subsists amongst all Nations, that in Honour and Justice to the King, my master, who has entrusted me with the Command of his Troops in North America, I think myself obliged to look upon that Capitulation as Null and Void, which I have signified to all his Majesty's Governors and Commanders by Sea and Land in North America.

"I perswade myself that upon due Consideration your Excellency will be convinced of the Justice of my Proceedings in respect to the Capitulation, and that nothing can induce you so far to lay aside Humanity as to offer the least Violence on the Person of any of His Majesty's Subjects, Civil or Military, Comprehended in that Capitulation, that may unfortunately fall into your hands, as I must myself be obliged as well as all his Majesty's other Commanders both by Sea and Land to make Retaliation on all subjects of his most Christian Majesty that are now prisoners amongst us or who may hereafter fall into our hands.

"Allow me further to acquaint your Excellency that I am determined to carry on the War with all possible Humanity, agreeable to the Intentions of the King, my Master, and Nothing shall engage me to pursue contrary Measures but a failure in that respect on the part of the Troops of the King, your Master."

A Complaint being made by Reily, the Constable of Uwchland Township, Chester county, against Justice Lightfoot, for discouraging him in the Execution of his Office, in the impressing Horses for the King's Service, and making him pay an Exorbitant Price for the pressing of a Saddle, And this day being appointed for the Hearing, the Parties who attended were called in and after a full Examination, it not appearing that Justice Lightfoot was much to blame, he was dismissed without Censure.

Frederick Post returned last Night from Wioming, and made a report to the Governor in Writing, of his Journey, which was read and ordered to be entered as follows :

"*Journal of Frederick Post's Journey from Philadelphia to Wioming, June the* 20*th*, 1758.

"The 20th. Received an Order and Message from his Honour the Governor to Teedyuscung at Wioming.

"21st. Set out from Philadelphia. When I was come within 12 Miles of Bethlehem, met with a Violent Gust of Thunder and Rain, which obliged me to stay there that Night.

"22d. Came to Bethlehem. I met with the same Company of Indians which accompanied Mr. Thomson and me from Wioming. I enquired of them when they intended to return there; they told

me in Three or Four Day's Time. I enformed them that I had a message from the Governor and Cherokee Indians to Teedyuscung, and desired them to accompany me, to which they agreed.

"23d. Set off from Bethlehem, and met with Lieutenant Peterson with a scouting party from Allimingle, who informed us that Levan's Servant had been fired at by seven Indians, near the place we must pass by, and painted the Danger of our Undertaking in very frightful Colours. My Company being tired, we put up Five miles this Side of Fort Allen.

"24th. We came to the Fort; they told us the same Story, on which my Company concluded to stay there that Day, and to set off early next morning. Farther they told me, 'Brother, we assure you that it will not be long befor the War be quite over. For there are but few whom the Devil rides that can't be easy;' that the others often made hard Complaints against them, to bring them to Reason.

"25th. Sunday we crossed Nishewatshowall, the other Side of Meskonekek Creek, and came that Day 4 Miles the other Side of Quackkek. The Indians killed a Bear about a Gun Shot off from our Lodgings.

"26th. Near Taquchsekkachkawad our People Shot a Deer, divided it into pieces, to every Man his portion, and after dining here we went over Moshowatshong and Neskopekok River. From here onward my Companions would not have me go foremost. We lodged that Night on a Hill. There was a Violent Gust of Rain, and we had no other Cover over us but the Heavens, and all that fell from thence came upon us.

"27th. We made a great fire, and dried our Cloaths, &c^a. My Companions desired of me to know the Contents of my Message before we came to the Town. I acquainted them with it, and they seemed well Satisfied.

"About 2 o'Clock we came to Town. My Indians called out, on which there started out a great Number of Indians out of the Houses, many with painted Faces, and upwards of 40 Strangers, of Different Tribes, some of whom I knew. I observed that they are upon their Guard, and have Scouts out. We went to Teedyuscung's House, which was as full as it could hold. He told me that some of their People were gone to Shamokin a little before our arrival.

"I met there a Captive Woman, Cobus Decker's Daughter, from the Jersey, near Minnisink, and an Indian Trader, Lawrence Bork, of Lancaster County, who has been with them the whole Time of the War. When we had been a while there, Teedyuscung called the Men together. First I told them, in general, the intents of my coming, and told Teedyuscung my Instructions, and gave him the Governor's Answer, with a String of Wampum, with which they all seemed well pleased. I then read to them the Cherokees' Speech, and repeated it Three Times, that they might get the full

meaning of it. Augustus interpreted it, and they were well pleased, and Satisfied, and very, very attentive to the Words which they had heard, and returned many Thanks for the same. Then delivered the Belt. Then Teedyuscung shewed me Two Chiefs and several other Indians from Allegheny, who purposed to go down to Philadelphia, but the idle Reports which they had all along heard had made them suspicious and afraid. I told them that I was glad to see them, and as I had been twice married amongst them, I had a great Love towards their Nation, and would speak very free with them, and they might believe me.

"After we had discoursed a while together they shook Hands with me, and told me, 'Brother: we are very glad to see you, and have long time wished to see some of the Inhabitants of Pennsylvania with whom we could speak ourselves, For we cannot believe all that we hear, and know not what is true and what is false.' Then the rest of the People, Women and Children came to see me, and welcomed me to their Town. But, unhappily, a Woman had brought 5 Gallons of Rum of Some Body (I did not know his name but supposed he was a Jew) in Easton with which most of them got drunk, Two Beat their Wives almost to Death, And I know that those who suffer such abuse must Sigh and groan to God against those who sell them the Liquor.

"28th. The Indians from Allegheny came early to Visit me, invited me to their fire, and to breakfast with them on Bear's meat and Turkey.

"At Breakfast they asked me many Questions, which I gave them a true Answer to. They said that the Indians, thro' the many idle reports they had heard from time to time, were grown jealous of the English, and could not believe that they would make Peace with them, and hence were resolved to stay with the French. That they were sorry that they had gone to War against the English, and wished often to have seen some Messengers from the Government with whom they could have spoken, for then they had long left off the War against them.

"They complained strongly that they never had heard any Satisfactory Account of the Peace made at Easton, nor any Treaties that had been held, nor received any Belts 'till now lately. They all passed by the Mohocks but did not go into any of their Towns. I assured them the English were not in fault, for they had often sent the Messages, Belts and Invitations to them that they might come down and speak together.

"Kutaikund, one of their Chiefs, who lives this side the Allegheny, said that he was very Old, but those two who are just now come from the Allegheny (pointing to Kikiguskund and Pisqueton) wish to know the truth of affairs; then Lifting up his Hands to Heaven, wished that God would have Mercy upon them and help

them and bring them and the English together again, and establish an everlasting Ground and Foundation for Peace between them. He wished further that God would move the Governor and People's Hearts towards them in Love, Peace and Union. For he hoped without fail that a firm and Everlasting Peace would be established, and an end put to all the War and Strife. He said further, that it would be well if the Governor sent somebody with them at their return Home, for it would be of great consequence to them, who live above Allegheny, to hear the Governor's mind from their own Mouths. The above mentioned Chiefs told that at the French Fort at Ohio there were 1,100 French Soldiers, but almost starved with Hunger; had not the Mohocks helped them, the most of them must have left the place.

"Their Provisions they got from the Mississippi, which was but very little. They told the Indians—'Children: the English have almost beat me. I have nothing to live on; But for all we are Men, and will hunt; if we can get nothing else we will live on Meat as long as we can. If the English come too strong upon me I will Leave the Place. I am but weak, and I should loose a great Many Men.' I enquired about the Indians that fell on the Minisinks, and was informed that three Parties were returned back; One Party had two Wounded, and the other had each of them lost one.

"29th. We set off from Wioming, in all about 50, and came that Day about 20 Miles, and Slept in the Open Air that Night.

"30th. About 8 Miles the other side Fort Allen we met with the Indian Messengers with a Message from the Governor of the Jerseys. They sat all down by their fires, and the Messenger acquainted them with his Message; upon which they discoursed together upon the Matter; but all were at a Loss to know who this Nation of Pomton Indians is to whom the Message is sent, unless it be a Nation settled somewhere near the Mohock's River, which is now with Sir William Johnson. At Night arrived at Fort Allen.

"CHRISTIAN FREDERICK POST."

At a Council held at Philadelphia, in ye State House, Friday the 7th of July, 1758.*

* Here follows a Blank in Council Book of Five Pages.

At a Council held at Philadelphia, Friday, the 14th of July, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esq^rs
Joseph Turner,	William Logan,	
Richard Peters,	Lynford Lardner,	
Benjamin Chew,	John Mifflin,	
Thomas Cadwalader,		

The Governor informed the Council that last Night he received by Express, a Letter from Governor Delancey, inclosing the Copy of a Letter to Mr. Delancey from Brigadier General Stanwix; and on receipt thereof, had immediately laid an Embargo on the Ports within this Government, and had forwarded the Intelligence by Express to General Forbes; the Letters were read and ordered to be entered:

A Letter from Governor Delancey to Governor Denny.

"NEW YORK, the 12th of July, 1758.

"Sir:

"I received the Letter, of which the inclosed is a Copy, yesterday in the Evening.

"I have, by the Advice of his Majesty's Council, laid an Embargo on all Vessels except Coasters, until further Order, hoping that you will think it expedient to take the like Measures until we shall be able, from further Intelligence, to Judge of the State of our Army. I am just setting off for Albany.

"I am, sir, your most Obedient and most Humble Servant,

"JAMES DELANCY.

"P. S.—Lord How was killed in the Skirmish on Landing, on which we gained some advantage, having taken 140 prisoners, Eight of whom are Officers; but since, in attacking their advance Post, our affairs went ill; the particulars we know not, otherwise than hinted in General Stanwix's Letter."

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Copy of a Letter from Brigadier Genl Stanwix to Governor Delancey.

"ALBANY, the 9th of July, 1758, at Midnight.

"Sir:

"As affairs have not turned out so prosperously as we had wished, and that it may, perhaps, be necessary to raise the Militia, I am

to desire that, immediately upon receipt hereof, you will order them to be raised, and yourself proceed here forthwith, to give the necessary directions for raising those in these Quarters; as this is pressing, I shall not enter into a detail of what has happened, being in hopes to see you as soon as possible.

"Poor Lord Howe is killed; the General on that Occasion justly says, all the Advantage we have gained is nothing in Comparison to his Loss. His Excellent qualities as a Soldier, as well as in every other respect, is sufficiently known. I had such assistance from him that I both feel and Lament his Loss in a particular Manner.

"I am, Dear Sir, your most Obedient and most humble Servant,

"JOHN STANWIX."

Orders were sent to the Commanding Officer at the Barracks, to place a Guard at Weccacoe Fort, and Mr. Anderson was employed to assist and to have Cannon charged in order to bring to all Sea Vessels that should Attempt to break through the Embargo.

Lawrence Burk was Examined, and Robert Taylor and Francis Innis and Sister was Examined as to the Character and Behaviour of Lawrence Burk, who all Spoke much in his favour, particularly with the respect to his treatment of a Young English Child that was given to his Indian Wife, and it appears when he could not prevail on the Indians to abate their Cruel usage of the Child, that he advised them to sell it to the Commander of the French Fort at Niagara, and accordingly they sold the Child, and it was well used and afterwards was seen in good Health at Montreal.

Great Pains were taken with Pisqutomen and Keekyuscung to prevail with them to go as quick as possible to the Ohio, and to Observe what was doing at Fort Duquesne, and to send off a trusty Messenger from Beaver Creek, with an Account of the Motions of the French and the Disposition of the Indians. At length they Consented to go, and it being a matter of vast Consequence that the Conferences should be known at Ohio, with all possible Care and Dispatch, as well as that the General ought to be furnished with true Intelligence.

Frederick Post was desired to accompany the Indians, and he readily consented to go. He desired some other White Men might be joined with him, as it was a Journey of much Consequence and —— Danger. This was thought reasonable, and he afterwards came to acquaint the Governor that Charles Thomson offered his Service to go with him. The Governor objected to this, and told him he might take any other Person, or, if he would get some when he came to Bethlehem, he might apply to Mr. Spangenberg, to whom he should have a Letter to spare him one or two of his best Indians. Mr. Post approved of this and was Satisfied to go with Pisquetomen and Isaac Still.

The Secretary was ordered to take care that a Copy of the Conferences should be given to Mr. Post, and all the Belts and Strings of Wampum delivered with the Several Speeches should likewise be delivered to him, Pisquitomen, Isaac Still, and the Messenger. And Mr. Post was desired to take an abstract or short Memorandum of the Conferences, but not to take the Conferences at large with him for fear of Accidents & their falling into the Enemy's hands.

A Girl who was said to be taken on Yellow Breeches Creek was delivered up by Daniel, who came to Town after the Conferences. The Girl was obstinate, would neither tell her name nor Speak a Word, and made great resistance to her being delivered up.

Mr. Logan was kind Enough to get her placed at his Mother-in-Law's, Mrs. Emblyn, where she will be well taken care of.

A Petition was presented by Captain Huet, Commander of the Flag of Truce lately condemned in the Admiralty, requesting the Governor would be pleased to order that the Sailors should have an Allowance for their Support and Lodging.

The Council was always of Opinion that all French Men, let them be brought or come into the Town either by private Ships of War or by Passes from the Neighboring Provinces, should be confined in the Jayl, and it would have been Constantly done if the Commissioners would have Consented to Allow them any thing, as all English Prisoners taken by Privateers were always confined in the Jayles in France, and Supported at the King's Expence. It was said the People murmured exceedingly that Frenchmen should be permitted to Walk the Streets, View the Harbour and Fort, and go where they pleased. It was, therefore, thought advisable for the Governor to write once more to the Provincial Commissioners.

Frederick Post was dispatched by Mr. Logan and Mr. Peters.

We delivered to him printed Copies of Conferences at Easton and Lancaster, and Copies of the present Conferences, All the Belts and Strings delivered in Conferences, having first Numbered them and referred to the particulars with each Belt and String, and put Labals on them. James, the Indian, agreed to go with him, and an Horse was got for James. The Indians gave the Governor a List of Prisoners, which was copied and delivered to Mr. Post.

At a Council held at Philadelphia, on Friday the 4th of August, 1758.

PRESENT :

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Joseph Turner, Benjamin Chew, } Esquires.
Richard Peters,

Indians.

John Hudson, a Seneca.
Sam, or Sogongwogay.
Hans Jacob,
5 Minnisink Indians.

On the 3d instant five Minnisink Indians and a Seneca Indian Hans Jacob, Teedyuscung's Son, and an Elderly Delaware came to Town, waited on the Governor, and the next day acquainted him that they were two distinct Companies, and came on different Errands. The Seneca was sent by three Chief Men, heads of the Senecas, Cayugas, and Minnisinks, to acquaint their Brethren that they had received several Belts from them, and particularly some in April last, by Wossaweelu, or Daniel, and were determined to Come, and had sent him beforehand with a Short Answer; that calling at Teauchkung, an Indian Town on the Cayuga Branch, he Light of Sogonawaypy, or Sam, and brought him with him for a Companion, and that Hans Jacob, Teedyuscung's Son, joined them at Wioming, and had no Business here that he knew of. That the Five Minnisink Indians were sent to the Governor of the Jerseys with an Answer to the Message sent by Moses Tetamy. The Seneca Indian said he met with the Secretary at Bethlehem and told him he had matters of great Consequence from the Seneca Nation, and desired him to send a Messenger for Conrad Weiser to meet him in Philadelphia in order to Interpret his Messages; and he was sorry not to find him here, for he did not chuse to deliver his Message without his Assistance. He was told that Mr. Weiser was sent for, but was from home and could not come in time.

The Minisink Indians, as Moses Tetamy informed the Governor, Considered the Seneca as a Man sent to hear what they should say, and in their Turn wanted to hear what he had to say, and were loath to proceed to Burlington untill they knew the purport of His Messages. They asked the Governor's advice if they should go to Burlington or stay here; they would do either as he should advise them. There appeared to be a Mutual Jealousy, and neither cared to be the first Speaker.

The Governor, by the Advice of Tetamy, let the Indians know that he would call his Council to day and give the Minnisinks an Answer.

Moses Tetamy having reminded the Governor that they expected the usual Ceremonies would be observed towards them, of wiping the Sweat from their Bodies, he made the following Speech to them:

"Brothers:

"As you are Messengers, and have come a great way through the Woods, I Brush the Briers from your legs; I anoint the Bottom of your feet; I wipe the Dust out of your Eyes and Throat; I clear your Bodies from the Sweat and Dust, and I heartily bid you welcome."

4 Strings of Wampum,

"Brothers, the Minisink Indians:

"Yesterday you asked my advice what you should do; whether stay here or go to Burlington. You know you were not sent to me, but to the Governor of Jersey, and you have an answer to the Belts he sent.

"The reason why you came through this Province, is because the road to the Indian Country, since the War, lies through this Province; and at the Instance of the Governor of Jersey, I gave those passports that you have with you, to engage safety and protection to whoever should be sent. You needed not to have come to this City, there is a shorter Road to Burlington.

"I was glad that your nation accepted Governor Bernard's Belts. They told Moses Tetamy, that the Messengers would, by a certain time, be at Fort Allen with another; and he was now going to Fort Allen to meet you; but fortunately he has Light of you here; will take you by the Hand, as it is his Duty, and Conduct you to Burlington, where the Governor, Council, and Assembly, are now sitting. I therefore advise you, by all means, to go forthwith to Burlington. I am myself going there to Visit the Governor at his Request by Letter which I received the other Day, and shall be glad if I can be of any Service to you."

The Indians seemed in great Confusion and desired to be alone; They were an hour in Consultation keeping the Governor and Council Waiting. At length they came into Council and John Hudson acquainted the Governor that he was much Disappointed in Conrad Weiser's not coming, but he believed his Message could be interpreted by Moses Tetamy and Sam, and therefore he inclined to deliver it; and as all he should say was very good, and related to all his Brethren, he desired the Governor would sit in the state House that the People might hear his good News; To which the Governor agreed, and ordered the Council to be summoned at 10 o'Clock to-morrow morning in the State House.

At a Conference with the Indians in the Council Chamber at Philadelphia, August the 5th, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr. Lieutenant Governor.

Joseph Turner, Richard Peters, } Esquires,
Benjamin Chew,

Several of the Inhabitants of the City,

Indians.

Eyendeegen or John Hudson, a Seneca Messenger from Tageghslasa; Sogongwypy or Samuel, a Delaware from Teauchkung on the Cayuga Branch.

Hans Jacob, Teedyuscung's Son.

Five Minisink Indians, Viz^t.: Benjamin, Waloopies.

Moses Tetamy, Interpreter for the Delawares, there being an Interpreter for the Six Nations or Mingo Language in Town.

John Hudson from Modesty declined speaking and employed Sogongwpy to speak for him, who arising said:

"Brother:

"Hear me, I will speak to you; here are my Uncles, the Five Nations; They have four fire places, at which they received the Belts you sent by Essoweyowalland or Daniel.

"Brother:

"The five Nations desire you not to be uneasy, they say they are going to Johnson, who is going to War. We are, say they, going to him, When we come back to our fire places, we will smoak and look down towards you. When we return from Johnson we will come to you and speak to you fully. There were seven or eight from his Town with you at Easton, but they had little to say then, because our Cousin Teedyuscung was busy, and we had not time to say any thing. We only came to hear him, now when we come we will speak for ourselves fully."

Some Questions being asked about Teedyuscung's being busy, the Seneca said "Teedyuscung put the Five Nations behind him, and when they came home reported what he had said.

"Now here is our Belt, with it I take you by the Hand and desire you to meet me at the New Council Fire kindled at Easton."

A Belt of Eight Rows.

Then taking out a String he said:

"Teedyuscung sends you this String and speaks as follows:

"Brother:

"I have often told you to hear me, and to speak loud. Here are

my Uncles the five Nations and I am five Nations, which make Ten Nations. As you have said you were Strong, I desire you would now exert yourself and speak louder that all the Nations may hear you."

A String.

After this the Seneca said he would go with his Cousins, the Munseys, to Burlington. He said he did not know when he set out that they would go any further than this Town. But now, as they must go to Burlington, he would go with them, and Samuel will return home. He further added, that the Indians only waited for him to return; that when he returned home, Three Chiefs would immediately rise, and come to meet the Governor at Easton, where they should expect to see him; that as soon as they were to come, they would send down a Messenger before them to the Governor, that he might also arise and come and meet them. The Three Chiefs that will come are, Eghkoohunt, the Munsy Chief, Tagheshata, of Megachtinna, the Seneca Chief, and Kahatoodo, the Cayuga Chief. He ended with saying they were only Messengers, and had delivered the Messages sent them, and now had no more to say.

Hereupon the Governor, taking a String, said:

"Brother:

"I receive the Belt from the Three Chiefs very kindly. There Message is very good and agreeable. I will wait for their Messenger to come, and let me know when they will be at Easton, and I will meet them there."

A String.

"I desire you will let Teedyuscung know that I am much obliged to him for his Message, and shall act as he desires."

Another String.

When the Governor had delivered the Strings, the Seneca Messengers said he was desired to say by word of mouth, without Strings, that not only the Three Chiefs he mentioned would come, but also many other Chiefs from the Nations in Friendship with these. He added, that he would let the Governor know beforehand by word of mouth what is intended to be said at Easton He said, "the Chiefs had ordered, after he had delivered the Belts, then to speak this, and to let the Governor know how it is with them since these Troubles began. The Six Nations are the Heads of all the Nations here. When these Troubles began, many Belts and Strings came from the Indian Nations beyond them, saying, why don't you do something? Why don't you Speak? The french are coming, and will take all our Land from us. Why do you set still? Such Messages were often sent. Now, Brother, I was with the Three Chiefs when they took out a Belt from under them, and more than

a fathom long, which they valued much. It was their Old Antient Belt, the Confederates or Union Belt, which tied them together. They desired me to tell you that they had sent to these Nations who sent us the Belt, to assure them we will not sit still any longer. But since you desire it, we will all join, and do what you desire. We see the French have been the Occasion of all the Mischief. The English have been in Confusion, but we will all arise and attack the French, and drive them away. I don't say these things of myself, the Chiefs ordered me to tell you so. Two Days after these Belts were sent to the Nations, we set out for this place. I have further to inform you that just before we came away, Johnson sent a Hatchet to the Six Nations and they have accepted it."

The Governor acquainted the Council that Mr. James Pemberton had introduced to him a French Merchant who was sent by a Captain of a Spanish Privateer that had taken the Ship Hannah, belonging to him and others, to negociate her Ransom; that Mr. Pemberton was inclined to pay the Ransom money, but found it attend^d. with some difficulties, being advised that if it were paid here & that Privateer should be taken with the Hostages on Board, the Vessel taking it would be intituled to Salvage. Some further Difficulties, likewise, were about Getting the Hostages Home. Mr. Pemberton desired the Governor be pleased to mention this affair Candidly to the Governor of Louisiana, to whom he was informed the Governor intended to write by Captain Viviat, the Flag of Truce now here from the Mississippi. Mr. Chew was Consulted with on the part of Mr. Pemberton and the Government.

Captain Viviat being ready to sail, his dispatches were ordered to be prepared by the Secretary.

The Governor and Council having received information that some of the principal Men of Jersey were averse to pacifick Measures, and extremely exasperated against the Indians, and the Governor being quite unacquainted with Indian Business, and having invited the Governor to come and see him, the Governor was advised, tho' much indisposed, to take this Opportunity of paying Mr. Bernard a Visit, and Mr. Turner, Mr. Peters, and Mr. Chew, who are acquainted with most of the Members of Council, and some of the Assembly offered their Service to accompany the Governor, which was kindly accepted.

The Governor having received a Letter from Sir William Johnson inclosing his Speech to the Delaware Indians living on the Ohio, the same was read and ordered to be entered as follows:

"*Sir William Johnson's Speech to the Delaware Indians living on the Ohio and those parts, sent this day by Joseph Peppy, a Delaware Indian.*

"FORT JOHNSON, July 21st, 1758.

"'Brethren:

"'Since the War broke out between the English and French, I

have given several Belts of Wampum to your Brethren living on the Susquehannah River to be sent you in my Name, and also in the Name of your Uncles the Six Nations, to call on you to come away from the Ohio and those parts, and to return to your former settlements on the Susquehannah River, where your Brethren still remain; but I fear some evil Spirit has taken my Belts and put them under ground, and that they were never delivered to you, for I find you still remain on the Ohio, and I have never had any answer from you to any of my said Belts.

"'Brethren:

"'This Spring I gave another Belt to some of your Flesh and Blood, who come to this Council fire from Oksiningo, repeating the above call to you and which they promised should be sent to you.

"'Your Uncles, the Cayugas, who were lately here, told me they had some time ago sent you a Belt desiring you would leave the Ohio and come and live with the rest of your Brethren on the Waters of the Susquehannah.

"'I have just now also heard a Speech which your Uncles the Cherokees, some of whom are now come to this Council fire to talk with your Uncles, the Six Nations, and their Brethren, in this Speech your Uncles, the Cherokees, by a Belt of Wampum, desire you would come away from the Ohio, as they Declared War against the French and their Indians, and have joined their Arms with their Brethren, the English; they are, therefore, afraid they might meet with some of you in that Country and by mistake hurt you, which they would be sorry for, as they have a great kindness and regard for your Nation.

"'Brethren:

"'The Times are Troublesome, and I see black Clouds gathering over the Ohio. I therefore send this Belt for the last Time, and your Uncles, the Six Nations, join me in it, to advise you to get out of the Way, and come with all your Families and live with the rest of your Brethren on the Waters of the Susquehannah, which you will find safe and pleasant, and have ground enough to plant on.

"'It is not good at any time for Brethren to be seperated at so great a Distance from each other as your people now are, more especially at such times as these.

"'Brethren:

"'I hope you will listen to the many Calls which have been given you from time to time, by all your Friends. They wish you well and mean for your good. Don't listen to the Evil minded People who want to shut your Eyes from seeing what is good, and deceive you with lying Speeches.

"'Your Uncles, the Six Nations, and your Brethren living on the Susquehannah River, are invited to a great Meeting by the Governor

of Pennsylvania. I would have your Chief Men go thither, and they will hear things for their good, and I hope such as will open their Eyes to see what is their true Interest. Your Brethren, the English, have their Arms Open to receive you. If you will not hearken to all the Messages which have been sent, and the Several Warnings which have been given you, all your Friends will look on you as a head-strong, deluded people, and you may perhaps repent of it when it will be too late.

"'Regard, therefore, the Words I and your Brethren of the Six Nations now speak to you, and let your advice and Call be now heard and Complied with.

"'We give you this Belt of Wampum to Confirm all we have said.'

"A true Extract from the Records—Examined by me,

"PETER WRAXALL, Sec$^{y.}$ ℔ In. Aff$^{rs.}$"

Don Antonio Sais, Captain of the Spanish Vessel hired by Captain Bowne to bring here the Effects saved from on Board an English Ship belonging to Merchants here, which was Stranded on a Maroon Island near Cuba, having signified to the Governor that he was ready to sail, His Honour the Governor wrote a Letter to the Governor of the Havannah and gave the Captain of the Spanish Vessel a Passport.

The Governor further informed the Council that he was Embarrassed with Applications from Masters of Dutch Vessels who were brought in here by Private Ships of War, Some of which were acquitted in the Admiraltry, and others were not so much as libelled in that Court; that petitions were preferred to him requesting Leave to sell Vessel and Cargo, or both, and that not Understanding these matters he had Consulted Mr. Taylor, the Collector, who was of Opinion that if such Vessels were bought by any of his Majesty's Subjects they would not, by the Laws of trade, be entituled to a Register, and that this might open a Door to Fraud, and breaking of the Laws of Trade. The Governor therefore asked the advice of his Council what was proper to be done on such Applications.

Mr. Chew, the Attorney General, agreed that a Register ought not to be granted on a bare License of the Governor to the Dutch Owner or Captain to sell the Ship. That nothing less than a Decree in Admiraltry would justify the granting a New Register; but as to any part of the Cargo, it might, if of a perishing Nature, or to defray Necessary Expences, be permitted to be Sold.

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MEMORANDUM.

On the 11th of August, 1758, The Governor delivered to Captain Viviat his Dispatches, Viz$^{t.}$: A Permit to take on board cer-

tain things therein Specified, and a Passport; A Roll or Certificate of four French Prisoners to take with him in Exchange for the four English Ones he brought; * * * * a Letter to his Excellency Louis De Kerberee, Governor of New Orleans.

Captain Viviat was ordered to stay until he could be convoyed by a Letter of Marque; and on the 13th of August, Captain Atkins letting the Governor know that he was ready to sail, having a pretty good Force on board, and a Letter of Marque, the Governor Acquainted Captain Viviat that he might go on Board when he pleased, and sent a Letter by him to Captain Atkins.

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MEMORANDUM.

The Governor, attended by Mr. Chew, Mr. Turner, and Mr. Peters, waited on Governor Bernard at Burlington and assisted in the Councils relating to the Minisink Indians. On the Governor's Return to Philadelphia, he received Intelligence that a party of French and other Indians were met on their march to the Minisinks and other Parts of Jersey, upon which his Honour immediately dispatched an Express to Governor Bernard with the Intelligence, and on the Tenth Instant received an Answer of thanks, and soon after a Copy of the Indian Conferences held at Burlington, which were read and ordered to be entered as follows:

"At a Conference held at Burlington, on Monday the 7th day of August, A. Domini, 1758.

"PRESENT:

"His Excellency FRANCIS BERNARD, Esqr., Governor.

"James Hude, Richard Saltar, } Esquires, of his
"Andrew Johnson, L. M. Ashfield, } Majesty's
"Peter Kemble, Samuel Woodruff, } Council.

"Charles Read, }
"John Stephens, } Esqrs., Commissioners for Indian Affairs.
"William Forster, }

"*Indians:*

"Otawopass Benjamin, } Messengers from the Minisink Indians.
"Coallins Goatshank, }

"Apewyett, alias John Hudson, } Messengers from the Senecas.
"Samuel, a Delaware Indian, }

"Jandahass, a Delaware Indian who came with the Minisink Indians.

"John Pumphire, Interpreter.

"Moses Tetamy, } Assistants.
"Stephen Calvin, }

"His Excellency sat holding 4 Strings of Wampum in his Hand, and spoke to them as follows:

"'Brethren:

"'As you are come from a long Journey through a Wood full of Briars, with this String I anoint your Feet and take away their Soreness.'

"Then threw off a String.

"'With this String I wipe the Sweat from off your Bodies.'

"Then threw off a Second String.

"'With this String I cleanse your Eyes, Ears, and Throat, that you may see, hear, and speak clearly. I particularly anoint your Throat, that every Word you say may have a free passage from your Heart.'

"Then threw off a Third String.

"'And with this String I bid you heartily Welcome.'

"Then delivered all the four Strings.

"His Excellency then informed them that he should be ready to hear what they had to say in answer to the message he had sent to their Chiefs as soon as would be Convenient to them, when they informed him they would be ready in the Afternoon."

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"Monday Afternoon.

"Present as in the Morning.

"The Indians being informed that the Governor was ready to hear them, Benjamin, on Behalf of the Minisink Indians, holding a Belt in his Hand, said:

"'Brother:

"'At first when your Messengers came to us at Assiniske (27 Days since), our Antient people were glad to hear them, and our young Men, Women, and Children Rejoiced at the Tidings.

"'We know you are great and Strong, and we took it kindly. All our friends and relations were in Sorrow, and pitied the Condition of the Women and Children who are going up. The kind Words of our Brethren, the English, we sent to our Uncles, the Mingos, and one of them is come down here to the place of our Meeting, to be a Witness of what passes between us.'

"Then John Hudson, the Seneca above-mentioned, spoke as follows:

"'Brother:

"'In Confirmation of what has been said to you, I, who am the Seneca, am by this Belt to inform you that the Munseys are Women

and cannot hold Treaties for themselves; therefore I am sent to inform you that the Invitation you gave the Munseys is agreeable to us; and we have taken hold of your Belt, and I desire you may write down my attending here the while I am here. I have left my Family in Danger of being cut off by our Enemies (the French).

"'Further, Brother:

"'I have told you your Belt was agreeable, and received by us as an Earnest of your Friendship. But tho' we are glad of this Opportunity of Speaking with you, yet I am to inform you that it is not agreeable to Our Chief Men and Counsellers to have a New Council fire kindled or the Old one removed to this side of the River from Pennsylvania, where it hath always been kept Burning. The Reason is this: we know the Strenth of the Water, and that when the Wind and tide is strong it Roars that we cannot hear, so that it is proper we should have the Council fire on the other Side of the River nearer to us.

"'Brother:

"'I think this is a good reason why it should be so; for 'though we should speak loud the Distant Nations will not hear us if the roaring Waters are between us. We therefore hope, as the Council fire is Kindled and kept Burning in the Forks of Delaware by the desire of all our Nations, we shall see our Brother, the Governor, there.

"'Brother:

"'We attend to the Words we heard from you; you say you are a man of Strength, and we believe you are.

"'I am a man as well as you. I know of no Nation Stronger than you; And our Chief Men and Old Councellors are willing to meet you at the Forks of Delaware, and to Confirm our Alliance and brighten the Chain of Friendship more Clear than it has heretofore been.

"'This Belt Confirms what I have said.'

"He then delivered to the Governor a Belt, on one side of which are three figures of Men in Black Wampum representing the Shawanese, Delawares, and Mingos, living on the Ohio. On the other Side Four figures representing the United Councils of the Six Nations in their own Country. By their being now joined in this Belt, he declared it expressed their Union, and that the Western Indians having Consulted their Uncles, now joined in sending it in pursuance of a Belt of Invitation sent them above a year since by George Croghan on behalf of the English.

"Then Benjamin, on behalf of the Messengers, said:

"'Brother:

"'Our Antient People and Chief Men are glad to hear of the Kind disposition of the English. We believe you are wise and

Strong, and for the good of our Wives and Children, for whose protection we are concerned, that they may have some good and lasting Settlement made for them to the latest Posterity, We should be glad of the Opportunity in order to obtain it to see all our Brethren, the English, together. Our Chief Men and Old Councillers are making ready to come to the Council fire in order to settle all matters which have been cause of uneasiness between us. We believe your Professions are Sincere, and that you will agree upon what is most for the good of both you and us, and we shall be ready to be advised by you, as we think you are wise. We are glad to have an Opportunity of Conversing with you without Interruption, tho' the Sun is Low, But we hope our and your Antient and Wise Men will have the happiness of Consulting freely together for the good of one another before it be dark, and that we shall meet one another with Sincerity and truth, as we expect the Blessing from Above to attend us therein.

"'And I am directed to inform you, that the Indian Nations will be next full Moon after this at the Forks of Delaware, and will send the Governor word beforehand of the particular Day they will be there, and of their Nations and Numbers, and so you may make it known to whom you think proper, that they may be present at our Meeting.'

"There are two Nations besides the Munseys parties to this Message.

"The Senecas, whose Chief man is Tagee-iskatt-a, and lives at Mahakensink; The Cayugas, whose chief man is Eshakanata; The Chief Man of the Munseys is Ego-ho-houn."

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"The Conference continued till Tuesday, August the 8th, 1758.

"PRESENT:

"His Excellency the Governor, The Gentlemen of the Council, and the Commissioners for Indian Affairs, the Indians and the Interpreters.

"As Yesterday.

"His Excellency delivered the following Answer to what the Indians said Yesterday:

"'Brethren:

"'I am glad to hear that our Offers of peace and amity have been well received by your people, and that they are disposed to brighten the Chain that heretofore had held us together, and to restore that brotherhood that had for many years Subsisted between us. Of late a great Darkness had overshadowed the Land; but we hope that the Sun is up that will disperse the Clouds that have hin-

dered us from Seeing one Another, and make all our future days bright and pleasant.

"'We agree with you that it would be best for us all to meet at the great Council fire that is kindled on the Forks of Delaware; it is on many Accounts proper, and the particular Circumstances of this Province make it most agreeable to us. We differ from the Neighbouring Provinces in many things. We have bounds set to our people beyond which they neither can nor Desire to pass; they are Content with the Cultivation of their Lands, and seek not for Extraordinary Gains by following trade out of their own Country; as we have had little intercourse with your people, we can have little cause of Contention with them. The Encroachments of unbounded Settlers and the Tricks of unfair Traders cannot be charged on us. All we have to do is to Offer your People our Friendship, which if you will Sincerely and heartily accept of, it shall endure to you & your Children as long as the Sun shall shine or the River on whose Banks we meet shall flow.

"'Brethren:

"'I speak the Words of Justice and Benevolence, and not of Fear. It is well known to many of you that as our People are industrious and hardy, are also bold and resolute. If they are attacked they give shott for Shott and Blow for Blow; but we should be Sorry that this their Warlike Spirit should be turned upon you, our Antient Friends and Brethren. No! let it be Exerted against the French who are the Common Enemies of us, of you, and of all people that would be free and Independant.

"'Brethren:

"'What I speak to you I speak to those that sent you; And say to our Brethren that we are honest and Sincere in our Profession to them, and hope they will be so in what they Profess to us. But as we have been Struck without having injured any one, we shall expect that they will give us a proof of their good intentions towards us by bringing with them all the Prisoners that have been taken from us. Those among you who are Husbands and Fathers can best tell what our People must feel who have had their Wives and Children taken from them. We also expect that untill we shall all meet at the great Council fire, and those our Mutual Offers of Peace and Friendship shall be brought to a Maturity by a Solemn and Publick Treaty, you will not Suffer your own People to Commit Hostilities against us, nor any others to pass by you without giving us Early Notice to prepare ourselves against them.

"'Brethren:

"'The great God whom we serve, and who protects us and gives us all the Blessings of Life which we enjoy, hath Commanded us to be just and Benevolent to all Mankind. We are desirous to be so. And if we can be assured that your People will live on Terms of

Friendship with us, the Lowest person among you shall receive no hurt from our People that we can prevent or redress. Of this I will give your People further assurance when we meet at the Council fire. In the mean time, I confirm what I have said by these Belts.'

"His Excellency then delivered one Belt to the Seneca and one to Benjamin, the Musey Messenger."

At a Council held at the State House, Thursday the 24th of August, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Benjamin Shoemaker,	Joseph Turner,	} Esquires.
Richard Peters,	Lynford Lardner,	
Benjamin Chew,	Thomas Cadwalader,	

This Day being appointed by the Governor for the Hearing of the Petitioners against Mr. Moore and his Defence, the Petition of Mr. Moore, the Governor's Letter to the Sheriff, and the Sheriff's Answer were read.

The Parties with their Witnesses attending, and a great Number of the Inhabitants, the Doors were then opened, and the Parties were told that the Governor was ready to hear all persons concerned, and on their coming into Council the Governor spoke as follows:

"There are several Complaints against Mr. Moore for Male Practices as a Magistrate. I sit here as my Predecessors have done, not to determine as a Court of Judicature, but to satisfy my own Conscience of the Truth or falsehood of the Charges. I am now ready to hear anything that the Complainants have to offer or that Mr. Moore can say in his own defence."

The Examinations were taken down by Mr. Chew, and it growing late in the Afternoon, the Council was adjourned to 10 o'Clock tomorrow morning.

At a Council held at Philadelphia, Friday the 25th of August, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Benjamin Shoemaker,	Joseph Turner,	} Esquires.
Richard Peters,	Lynford Lardner,	
Benjamin Chew,		

Mr. Moore attending, and the Petitioners against him, with a

Considerable Number of Inhabitants, the Doors were opened, and the Governor proceeded in the Examinations, which lasted till 6 o'Clock in the Evening, and then no more appearing, the Council was adjourned till Eleven o'Clock to-morrow morning.

At a Council held at Philadelphia, Saturday the 26 of August, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Benjamin Shoemaker, Richard Peters, Lynford Lardner, Benjamin Chew, Thomas Cadwalader, } Esquires.

The Examinations taken the two preceding Days were read, and the Governor asked the opinion of his Council as to the Charges against Mr. Moore, and all concurring in Sentiment, that Mr. Moore had purged himself from every one of them, and appeared to them to be perfectly innocent, the Governor declared the same, and that he never heard a more clear and full defence, and in vindication of Mr. Moore, the Governor, after ordering the Doors to be opened, that all present might be Witnesses of his Opinion of the Charges, he addressed Mr. Moore to the same effect.

MEMORANDUM.

This Day the Cherokees returned from Sir William Johnson, and brought with them several Mohocks, among whom was Scarrogudy's Wife, and all her Children. The Secretary sent his Chaise for the Sick Cherokee. The Cherokee Messenger came with Strings of Wampum for the Governor, letting him know that he had made application to Sir William Johnson for Guns, and was told that they were all delivered out to the Warriors. He was taken into the Store, and showed that there was none there. Sir William Johnson desired them to apply to the Governor of Pennsylvania for Guns, and they would give them as many as were wanted. He further desired Horses for four or five of his Company, besides a good one for himself, and Waggon to carry their Things. The Governor paid them a Visit, and promised to recommend their several Requests to the Commissioners.

The Secretary was ordered to go and Confer with the Commissioners on the ill Consequences that would attend the refusing those Requests, though they were unreasonable, and Sir William Johnson was highly to blame. He accordingly went on Tuesday, the usual Time of meeting, but there was no Word. The Governor desired

the Clerk to Summons the Board to meet next Day, and Mr. Peters went there, and in the Governor's name entreated these things might be provided. Mr. Fox, Mr. Hughes, and Mr. Baynton were only there, and they said they could give the Governor no Answer, not being a Board. Israel Pemberton was with them. The Governor, by the Secretary, condoled with a String of Wampum the Death of Annaly, which was kindly taken. The Commissioners, as Hart informed the Governor, gave him Forty Pounds to provide Waggon and Horse for the Lame Cherokee. A Message was delivered by Mr. Hart from Scarrogudy's Wife, who presented him with her Husband's Calumet Pipe, and desired he and the Indians might Smoak in it together; that she intended to have gone into the Cherokee Country, but had altered her mind, and would stay here with her Children.

At a Council held at Philadelphia, Monday the 4th of Septem^r, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell, Richard Peters, Esquires.

The Assembly being to meet according to Adjournment this Day, The Governor proposed to consider the Draught of a proper Message to the House, relating to Indian affairs, but the other Members not attending, it was postponed.

MEMORANDUM.

On Tuesday, the 5th, a Message was delivered from the House by two Members, that the House met last Night according to their Adjournment; that they did but just make a Quorum, and intended to adjourn till the 11th Instant, if the Governor had no Objection. Whilst the Members were with the Governor, Captain Wallace, Commander of the Port Mahon, delivered to the Governor a Letter from Admiral Boscawen, desiring assistance for some recruits towards Manning the Fleet, adding, if he would send him Three Hundred, he should be enabled to send to Philadelphia the Eccho of Thirty-Two Guns.

The Letter was immediately sent to the House by the Secretary, with a Verbal Message, Strongly recommending it to the House to enable him to send the Number Wanted.

A Letter from Admiral Boscawen to Governor Denny.

"NAMUR, LOUISBOURG HARBOUR,
the 5th of August, 1758.

"Sir:

"As the great Trade of the Colony of Pennsylvania is a Nursery for many able and good Seamen, and as Trade depends much on destroying the Enemies' Privateers, I hope for your assistance for some Recruits towards manning the Fleet under my Command, and if you would send me Three Hundred I should thereby be enabled to send to Philadelphia the Eccho of Thirty-two Guns taken here, and will appoint her to that Station directly as soon as you will furnish Men for that Service. I send the Port Mahon under the Command of Captain Wallis, who is a very discreet Officer, with this. He has my Orders to receive any men you may raise for his Majesty's Service. I am told the Merchants, Planters, and Gentlemen of the Assembly will be ready to give their assistance on this Occasion.

"I am, Sir, your most Obedient Hum$^{e.}$ Serv$^{t.}$,

"E$^{D.}$ BOSCAWEN."

The same Day a Verbal Message was delivered to the Governor by Two Members in these Words: "Upon considering the Admiral's Letter, laid before us by your Secretary, we apprehend it is not Expected that the Recruits therein mentioned should be at the Charge of this Government. Besides, we have already granted such aids to the Crown at the particular Requisition of the Secretary of State, and at a great Expence to the Province fitted out a Ship of War, now on a Cruise, for the Protection of our Trade, that it is not in our power to Comply with it under our present Circumstances; The Publick Fund being nearly Expended, and many of the Troops in the Service of the Crown yet unpaid. The Application we apprehend is to your Honour for your assistance as executive part of Government to the Gentlemen Commissioned by the Admiral for that Purpose."

And then they acquainted the Governor that the House had adjourned to the Eleventh Instant.

A number of Soldiers' Wives belonging to the First and Second Battallion, and Otway's Regiment, petitioned the Governor for Relief.

At a Council held at Philadelphia, Monday the 11th of September, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esq., Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	Richard Peters,	
Benjamin Chew,	John Mifflin,	

The Letter of Admiral Boscawen and the Assembly's Message were read, and the council were of Opinion that the House should be desired again to consider this Request and grant it.

A Letter from Governor Delancy, of the 4th of September, in Answer to the Governor of the 30th of August, was read in these Words:

"NEW YORK, the 4th of September, 1758.

"Sir:

"I had by the last Post the favour of your Letter of the Thirtieth of August, inviting me to a Meeting to be held with some Indians the middle of this month at Easton. The Notice is so short that I cannot possibly call the Assembly together to provide for the Expences of such an Interview, for I know that a Governor can have little Weight with Indians, unless he has presents to throw into the scale, and as the King has placed the sole agency of Indian affairs into Sir William Johnson's Hands, I choose to decline going to this Interview; besides, from a Letter I received on Saturday from General Abercrombie, I judge my presence absolutely necessary in this Province. However, I wish you all immaginable Success from this meeting; for my part, I have very little Faith. Indians are always ready to receive presents and give back Promises. May your Conferences produce the Effects which are hoped for from them.

"I am, Sir, Your most Obedit. and Humble Servt.,

"JAMES DELANCY."

At a Council held at Philadelphia, Tuesday the 12th of Septemr. 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell,	Esquires.
Richard Peters,	

A Message to the Assembly was prepared, read, approved, and sent to the House by the Secretary in these Words:

"Gentlemen:

"The Honour and Interest of this Province are so deeply concerned in the late Request made by Admiral Boscawen to furnish him with a Number of Seamen, that I cannot avoid recommending it strongly to you to reconsider the matter. You will please to remember that his Majesty, in a Letter from Mr. Pitt, his principal Secretary of State, bearing date the thirtieth Day of December last, laid before you in March, Signified to me His Royal Pleasure that all Legal Methods should be used to supply the Commander-in-Chief of his Ships in North America with such a Number of Sailors from this Province as he should at any time require for His Majesty's Service. When, therefore, I received the Admiral's Letter generously offering that the Eccho, a Ship of Thirty-Two Guns, should in return for a Supply of the Seamen demanded be immediately stationed here for the Protection of our Trade, I made no doubt of your readily acceding to so advantageous a Proposal.

"You are pleased to say that it is not in your Power to comply with this Requisition, because the Province hath been at a very great Expence in fitting out a Ship of War, now on a Cruize for the Protection of your Trade, and the Public Funds are near exhausted.

"Gentlemen, when you Consider that a Man of War Stationed on your Coast will render for the future the Province ship useless, that the great Sums necessarily expended in supporting her will be saved, and at the Same Time your Trade will be more effectually Secured. I am perswaded you will agree with me that it is your Duty as well as your real Interest to fall on proper Means to furnish the Admiral with the Number of Seamen he demands without Delay.

"New Funds will be wanting to Supply the Deficiency of those already raised; but it is certain that the Taxes hereafter to be imposed will be easier on the People if by the Measure proposed the heavy Expences of Supporting the Province Ship can be saved to them.

"I have the pleasure to acquaint you, that from the present face of things Indian Affairs seem to have a very favourable appearance. Since your adjournment in May last, I have been particularly attentive to improve every Opportunity that has Offered to reclaim such of them as have joined our Enemies, and of Conciliating the affections of the Indians in general. Several Messages and Conferences have passed between us, in consequence of which a general meeting has been agreed upon to be held at Easton, and I have lately received Intelligence that many are already arrived on our Frontiers, and great Numbers are Assembling together and may be daily ex-

pected there. At this Treaty the Governor of the Jersey has by the particular desire of the Indians agreed to attend; and in order to make an extensive as well as durable Peace with the Indians in general, I have invited the Governors of New York, Maryland, and Virginia, and Sir William Johnson to favour me with their presence and Assistance.

"A very Considerable Expence must necessarily attend this important Transaction, which the Commissioners have agreed with me to defray out of the last Sum granted to his Majesty by this Province. I hope every Hand and Heart will be united in endeavouring to bring to a happy Issue this Treaty, so interesting to his Majesty's Service, and the Colonies in general.

"WILLIAM DENNY.

"September the 12th, 1758."

The Governor received a Letter from Major Orndt, acquainting him that One Hundred and Twenty-Eight Indians were arrived at Fort Allen, and intended to stay there. The Letter was sent by the Secretary to the Provincial Commissioners.

At a Council held at Philadelphia, Wednesday the 13th of Septem^{r}, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Benjamin Chew, Richard Peters, Esquires.

A Letter from General Forbes to the Governor was read in these words:

"FORT LOUDOUN, Septem^{r} 9th, 1758.

"Sir:

"I have the Honour of laying before you the Situation of His Majesty's Affairs under my Directions in these Southern Provinces at this Critical Juncture, and at the same time to shew you how much it depends on you and the People of this Province to assist in carrying on a Service which his Majesty has so much at Heart, or by their Neglect and Obstinacy have it in their Power to render every step that has been taken (for the safety of these Colonies) fruitless and to no Purpose, but to expend a very great Sum of Money.

"The laying in Provisions for the Support of the Army I attempted to do without even being obliged to impress any Carriages. The Quantity of Provisions to have been Collected at our principal Magazine has fallen greatly short of what I had reason to expect,

because most of the Waggons were not Loaded with more than Fourteen Hundred Weight, and took a Third more time in the Carriage than they ought to have done, which obliged us to break in upon the Stock of Provisions laid in at Ray's Town, while the Troops were opening a Road over the Mountains, and Securing its Communication, which is now effectually done to within Forty Miles of the French Fort, so that if the Inhabitants who have Waggons are not obliged to furnish a Sufficient Number of them, who, in one Trip to Ray's Town, might Transport the Quantity of Provisions wanted, and where they may receive payment for the Trip at a just and equitable Price, to be fixed by Authority, in Proportion to the Quantity of Provisions so delivered and to the Length of the Journey that they make, the Expedition cannot go forward; nor can I maintain the Ground I am already Master of, but shall be Obliged to draw off my Master's Forces to the Inhabited Parts of the Country, and take Provisions and Carriages wherever they can be found. The Evil which will Attend this Procedure is, that the Innocent must Suffer with the Guilty, and the Exigence of the Case is so pressing as to admit of no delay.

"I know there has been several Complaints made of the Scarcity of Forrage, and that several Waggoners has been abused by Officers. If there was any Scarcety of Forrage, it was owing to the Want of Waggons for its Transport; and no Driver ever made his Complaint but the Person who abused him was punished, so that I am induced to believe every Complaint of that kind is without foundation, and, therefore, shall not further insist on a detailed account of the Infamous Breach of Contract on the Part of the Inhabitants.

"I have sent to Philadelphia the Quarter Master General, who will explain to you fully the Situation of the Army. I should be sorry to employ him in executing any Violent Measures, which the Exigency of Affairs I am in at present must Compel me to do, if I am not relieved by a Speedy Law for the Providing the Army with Carriages, or a general Concurrence of Magistrates and People of power in those Provinces in assisting, to their utmost, to provide the Same, and that with the greatest Diligence.

"Every thing is ready for the Army's Advancing, but that I cannot do unless I have a Sufficient Quantity of Provisions in the Magazines at Ray's Town. The Road that Leads from the advanced Posts to the French Fort may be opened as fast as a Convoy can march it. Therefore my movement depends on his Majesty's Subjects entering chearfully in carrying up the necessary Provisions. The new Road has been finished without the Enemies knowing it, The Troops having not suffered the least insult in the Cutting it.

"And as one Trip of the Waggons will be sufficient for carrying up Provisions to Ray's Town, they shall be paid off at that Place for the Weight they carry and discharged; When they arrive at Ray's Town I shall have nothing to do, but proceed with the Army

under my Command, which hitherto have exerted themselves with the greatest Vigor and Spirit, in the great Labour they have undergone; I have done every thing in the Power of Man, to carry on this Expedition with Vigor, if any stop is made to it now, there can be no part laid to my Charge. For this stop you know I have long dreaded, as Six Weeks ago I wrote circular Letters to the Different Magistrates to give all their Aid and Assistance in procuring Waggons to the Contractor's Agents for Transporting Provisions, and that nothing has been neglected that Occur to me for Expediting this so necessary Branch of the Service.

"I need not repeat to you the care I have hitherto been at to prevent our Parties from falling upon the Indians, lest, by mistake, it might have fallen upon those who are any wise well disposed to us, and who are, I hope by this time at Easton to meet you, where I hope you will as soon as possible bring things to an Issue, letting the Indians know that the Regard I had for them has been the only reason why I had not long ago fallen upon their Towns, Wives and Children, but that now I could no longer Stop from putting in Execution the Orders of the King, my master, against his Enemies, and all who joined with them.

"As you will see Mr. Croghan, you will be so good as to send with those who will follow up to me as soon as possible, and pray, as soon as you can form any idea how matters are likely to turn out, let me know by Express; And I beg your Sentiments as to my Proceedings, if God grant us success against the Enemy; You see the Difficulty of leaving a Garrison there, and you know how your Province have put it out of my power of leaving any of their Troops after the first of December, So I am really at a Loss what step I must take.

"I have the honour to be,

"Sir, your most Obed^{t} and Hum^{e} Servt,

"JOHN FORBES.

"P. S.—As I am willing to embrace every Measure for Carrying on the Service, I have wrote to Several of the Members of the Assembly, to desire their assistance in relation to Carriages, as I suppose you may think it proper to Lay my Letter before them."

The Secretary was ordered to deliver the Letter, with the following Message, to the House:

A Message from the Governor to the Assembly.

"Gentlemen:

"I lay before you a Letter from General Forbes, which I have just received by Express. You will thence collect the Situation of Affairs under his Direction, and I most earnestly entreat you will consider it, and on this pressing Occasion, do every thing in your Power to promote the King's Service, by falling on the most speedy

and effectual method for Supplying the King's Army with Carriages, for want of which the General is in the utmost Distress.

"WILLIAM DENNY.

"September the 13th, 1758."

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MEMORANDUM.

On the Fourteenth, the Governor sent to the House, by the Secretary, Copies of the Conferences lately held with the Indians, and his Honour's Message to them; and on the same day received a Message from the House, by two Members, in these Words:

"May it please your Honour:

"We have considered your Honour's Message of the twelfth Instant, so far as it relates to Admiral Boscawen's Requisition of a Supply of Seamen from this Colony, as Recruits towards manning the Fleet under his Command, and have reconsidered the Secretary of State's Letter of the thirtieth of December, 1757, to which you have been pleased to refur us in your said Message, and are of Opinion, that if it was expected we should recruit His Majesty's Fleet at the Expence of this Province, we are at present so circumstanced, that it is not in our power to comply with it. Your Honour must be Sensible, that the Sitting of this Assembly must soon tirminate, and the large Grant we have already made to His Majesty for the Service of the Current year, is almost expended; what little remains, we apprehend, will be taken up in defraying the Expences of the ensuing Treaty at Easton, which tho' for the immediate Service of the Crown, and the general Interest of the Colonies, is likely to become principally, if not wholly, a Charge upon this Province.

"Signed by order of the House.

"THOMAS LEECH, Speaker.

"September the 14th, 1758."

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MEMORANDUM.

On the Fifteenth, Two Members waited on the Governor with the following Message from the House, and acquainted his Honour that Mr. Norris, Mr. Fox, Mr. Hughes, Mr. Roberdeau, Mr. Galloway, Mr. Masters, Mr. Strickland, and Mr. Gibbons, were appointed by the House to be a Committee to attend at the Ensuing Treaty at Easton:

A Message to the Governor from the Assembly.

"May it please your Honour:

"In Answer to that part of your Message, of the Twelfth Instant, relating to Indian Affairs, we heartily approve of the general

Meeting, which has been agreed upon to be held at Easton, as the most probable means of regaining and confirming the Antient Friendship and Alliance of the Natives to the British Interest; to which end this Province hath exerted itself in a particular Manner, and at a very great Expence.

"In an affair so interesting to our most Gracious Sovereign, and the British Nation, we sincerely hope, with you, that every Hand and Heart will be united in bringing this Treaty to an happy Issue.

"Signed by order of the House.

"THOMAS LEECH, Speaker."

At a Council held at Philadelphia, Wednesday the 20th of Septem^{r}, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell, Richard Peters, Esquires.

A Bill, intituled "a Supplement to the Act, intituled 'an Act for regulating the Hire of Carriages to be employed in his Majesty's Service,'" being presented to the Governor, last Night, it was read, approved, and sent to the House with a Message that the Governor would be in the Council Chamber, ready to enact it into a Law, at half an hour past Twelve a'Clock.

The Governor, with the Council, went to the Council Chamber, and his Honour sent a Message to the House by the Secretary, requiring their attendance in order to enact the said Bill into a Law. The House accordingly attending, the Bill was passed, sealed, and Lodged in the Roll's Office.

A Letter from the Governor a Jamaica was read, and a Warrant Issued thereupon by Mr. Strettell against the Officers of the Stanwix Privateer.

At a Council held at Philadelphia, Thursday the 21st of Septem^{r}, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Richard Peters, John Mifflin, } Esquires.
Benjamin Chew,

Edward Shippen, Judge of the Admiraltry.

Captain Stevenson and four other of the Officers of the Stanwix

being apprehended and committed to Jayl, were brought to the Governor's in order to be examined. The Examination of Captain Stevenson was taken, subscribed, and Signed by the Governor.

Captain Samuel Mifflin, Captain William Dowel, and Mr. Judah Foulk appeared as some of the Owners of the Stanwix, and declaring that the Proceedings in Admiraltry respecting the Capture of the said Jamaica Flag of Truce were copied and sent under the Great Seal of the Admiraltry and in the Hands of some of the Owners, Time was given for them to produce the Copy, and Captain Stevenson and the men were set at Liberty on Captain Dowel's becoming Security that they should appear on demand before the Governor for further Examination.

Whilst the Council was sitting, a Bill intituled "An Act for the Continuance of an Act of Assembly of this Province Intituled 'a Supplementary Act to the Act intituled 'An Act for preventing the Exportation of Bread and Flour not Merchantable, and for the New Appointment of Officers to put the said Law in Execution,'''' and was presented by two members of the House for the Governor's Concurrence, and read.

At a Council held at Philadelphia, Monday the 25th of Septem^{r}, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

William Till, Richard Peters, John Mifflin, Robert Strettell, Benjamin Chew, } Esquires.

A Letter from Mr. Weiser was read, wherein he gives an Account of the ill behaviour of Teedyuscung and the Indians at Easton, and upon Consideration of the ill Consequences that may attend such irregularity, it was unanimously judged proper that some person should immediately be sent who can keep the Indians in order; and Mr. Peters was requested to undertake this as being acquainted with the Indians, and used to their Manners and tempers, and Mr. Peters consented to go.

A Proclamation was issued prohibiting the Sale of Rum to the Indians, which was ordered to be printed, and Mr. Peters had directions to serve the Magistrates of the County of Northampton with it, and to affix Copies at all publick Places in the said County.

MEMORANDUM.

On Tuesday, the Twenty-Sixth, the Governor, by the Secretary, sent to the House the Bill intituled "An Act for the Continuance

of an Act of Assembly of this Province, intituled 'A Supplementary Act to the Act intituled 'An Act for preventing the Exportation of Bread and Flour not merchantable,' and for the new appointment of Officers to put the said Law in Execution,'" with a Verbal Message that he would pass the same into a Law as soon as presented to him for that Purpose. Upon which Two Members waited on the Governor to acquaint him that the Bill would be ingrossed by Five o'Clock in the afternoon, and his Honour desired them to acquaint the House that he would be in the Council Chamber at Five o'Clock. But the Secretary being obliged to go out of Town Suddenly on some important Business, the Governor sent a Verbal Message to the House that He would be at the Council Chamber to-morrow morning at Eleven o'Clock; and on the Twenty-Seventh the Governor sent a Message to the House by the Secretary requiring the Attendance of the Speaker and the Members in the Council Chamber, and Mr. Speaker, with the whole House, attending, the said Bill was enacted into a Law, had the great Seal affixed to it, and was deposited in the Roll's Office.

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MEMORANDUM.

On the Twenty-Eighth a Bill, in addition to the Act intituled "An Act for regulating the Hire of Carriages to be employed in his Majesty's Service," was presented to the Governor by Two Members for his Concurrence, and on the Twenty-Ninth the Governor returned the Bill to the House, with a Message that he would attend the House at Half an hour after Twelve o'Clock, in the Council Chamber, to enact the same into a Law; and accordingly the Secretary was sent to require the attendance of Mr. Speaker and the House in the Council Chamber, who waited on the Governor, and the Bill was enacted, sealed, and enrolled.

At a Council held at the State House, Wednesday the 3d of Octr 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor.

Robert Strettell,	Benjamin Chew,	Esquires.
Benjamin Shoemaker,	Lynford Lardner,	
William Logan,	Joseph Turner,	
John Mifflin,		

Several of the Inhabitants.

The Governor acquainted the Council that having been informed that Pisquitom, an Indian, who was sent with Frederick Post to

Allegheny some time since, was returned from thence and had something of Importance to Communicate to him, he had called them together, and after reading several Letters and conferring about Indian Affairs, the Governor desired Mr. Logan to go to know of the Indians, whether the Matters they had to communicate and deliver to him, were of a Publick or Private Nature.

Mr. Logan returned and reported that he had been with the Indians, who told him that what they had to say they were directed to deliver in Publick that every Body might hear it, and they were admitted accordingly.

The Governor welcomed them and told them he was ready, and should be glad to hear what they had to say.

Then Pisquitom said:

"Brother:

"'Tis now Twenty-Five days since we left Cuskushki, that the Indians had met and sat in Council there;" that they had there delivered him the several Strings and Belts in the same manner as they now lay before him on the Table, and that the Substance of all which is continued in the Paper which he now delivers to the Governor; But the Paper which they delivered being only a Letter from the Commanding Officer at Shamokin, and was the Paper they refered to, they were desired to deliver what they had to say from their Memory, but answered that he depended upon that Paper to Assist his Memory in what he had to say, he could not do without it; Whereupon the Governor proposed to them that they should defer delivering what they had to say to their meeting the Govesnor at Easton, to which place he intended to set off in a Day or two, and where they would also see who they supposed had the paper they wanted, they expressed themselves well pleased with the Governor's Proposal, and desired to set off for Easton to-morrow morning.

Then the Governor returned them thanks, on behalf of the Government, for the great Fatigue and Difficultys they had gone through in their Journey, and assured them they should be well rewarded and taken care of whilst in this Town.

At a Meeting held at Easton, on the 7th of October, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Lawrence Growden,	Benjamin Chew,	Esquires.
Richard Peters,	John Mifflin,	
Lynford Lardner,		

The Governor and Council coming to Town this Afternoon, Teedyuscung, accompanied with Moses Tetamy, Daniel, Teedyus-

cung, and Isaac Still, waited on his Honour, and made the usual Salutations.

"Brother:

"I am glad to see you here again; you may remember that we have already made Peace, and you desired me to halloo aloud, and give notice of it to all the Indians round about.

"I have spoke loud and raised my Voice, and all the Indians have heard me, as far as the Twightwees, and have regarded it, and are now come to this Place.

"I bid you welcome, and join with me in casting up our Eyes to Heaven and praying the Blessing of the Supream Being on our Endeavours.

"According to our usual Custom, I with this String wipe the Dust and Sweat off your Face, and clear your Eyes, and pick the Briars out of your Legs, and desire you will pull the Briars out of the Legs of the Indians that are come here, and anoint one of them with your healing Oil, and I will anoint the other."

A String.

The Governor returned him thanks for the Visit, and his good advice, which he promised to comply with, and appointed a Meeting in the Morning for that Purpose.

At a Conference held in the Town of Easton, on the 8th of October, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Lawrence Growden,	Lynford Lardner,	Esqrs., Members of the Governor's Council.
William Logan,	Benjamin Chew,	
Richard Peters,	John Mifflin,	
Isaac Norris,	John Hughes,	Esqrs., Committee of the House of Representatives.
Joseph Fox,	Daniel Roberdeau,	
Joseph Galloway,	Amos Strickland,	

Charles Read, } Esqrs., Commissrs. for Indian affairs in the Province
Jacob Spicer, } of New Jersey.

A Number of Magistrates and Freeholders of this and the Neighbouring Provinces, and of the Citizens of the City of Philadelphia, chiefly of the People called Quakers.

George Croghan, Esquire, Deputy Agent for Indian Affairs under Sir William Johnson.

Indians of Several Nations, vizt:

Mohocks.—Nichas, or Karaghtadie, with one Woman and two Boys.

Oneidoes.—Thomas King, Anagaraghiry, Assanyquou, with Three Warrior Captains, Six Warriors, and Thirty-three Women and Children.

Onondagoes.—Assaradonguas, with nine men, and nine Women and Children.

Senecas.—Takeghsado, Tagshata or Segachsadon, Chief Man, with seven other Chiefs, Thirty-Seven other Men, Twenty-Eight Women, and Several Children.

Tuscaroras.—Unata, alias Jonathan, with Five Men, Twelve Women and Two Children.

Nanticokes and Conys, now one Nation.—Robert* White, alias Wolahocremy, Pashaamokas, alias Charles, with Sixteen Men, Twenty Women and Eighteen Children.

Kandt, alias Last Night, with Nine Men, Ten Women and One Child.

Tuteloes.—Cakanonekoanos, alias Big Arm, Asswagarat, with Six Men and Three Women.

Chugnuts.—Ten men, and Twenty Women and Children.

Chehohockes, alias Delawares and Unamies.—Teedyuscung, with Sundry Men, Women and Children.

Munsies or Minisinks.—Egohohowen, with Sundry Men, Women and Children.

Mohickons.—Abraham, or Mammatuckan, with Several Men, Women and Children.

Wapings or Pumptons.—Nimhaon, Aquaywochtu, with Sundry Men, Women and Children.

Conrad Weiser, Esqr Provincial Interpreter.

Captain Henry Montour, Interpreter in the Six Nations and Delaware Languages.

Stephen Calvin,
Isaac Still,
Moses Tetamy,
} Delaware Indians.—Interpreter in the Delaware Language.

The Governor opened the Conferences with the following Ceremonies, addressing himself to All the Indians present of Every Nation:

"Brethren:

"It gives me great pleasure to see so many of you, and of so many different Nations, at this Council fire. I bid you heartily Welcome.

"Brethren:

"With this String I wipe the Sweat and Dust out of your Eyes that you may see your Brethren's Faces and look Chearful. With this String I take all Bitterness out of your Breast, as well as every

thing disagreeable that may have gathered there, in order that you may speak perfectly free and open to us. With this String I gather the Blood, and take it away from the Council Seats, that your Cloths may not be stained nor your minds anyways disturbed."

Three Strings.

Mr. Weiser interpreted the Substance of this Speech, and saying his Memory did not serve him to remember the Several Ceremonies in, Else on this Occasion, he desired Nihas, a Mohock Chief, to do it for him, which he did, and it was afterwards interpreted by Captain Henry Montour in the Delaware Language to Teedyuscung and the Delawares.

After a short pause Tagashata, the Seneca Chief, rose up, and repeating, as usual, each Paragraph distinctly as spoke by the Governor, he returned Thanks, and went through the same Ceremonies to the Governor, Council, and People of the Province, adding on the last String, that their Great Grandfathers had told them that they had made a Road for them to travel to their Brethren the English, and that whenever it should be stopped they would become a poor People. They were very glad to find the Road open to their Brethren, and should take care to preserve it so on their side.

Three Strings.

After Mr. Weiser had delivered this in English, and it was interpreted in the Delaware Language by Moses Tetamy, Takeaghsado, or Tagashata, proceeded:

"Brother Onas:

"By this Belt you sent an invitation to us to come to Pennsylvania, which reached our Towns about the time that the Leaves put out last Spring, but we were then so much alarmed by the French, who were near us, that we could not then leave our Country. Some little Time ago we received another Belt from Sir William Johnson, which he informed us was sent to him by you to be forwarded to us, to enquire into the Reasons why we did not Come to you according to your first invitation, and Sir William Johnson desired us to come here to meet you in Council, upon which we immediately arose and came as soon as we could to your Council Fire, and now we are here as you see."

Two Belts.

"Brother:

"Here is another Belt, by which we were invited lately to come to a Council fire that was kindled in an Island near the Sea. This surprized us, as we had never heard of a Council fire in an Island.* We know of no Council fires but the Old Council fire a Philadelphia and the great Council fire at Albany."

Here he laid the Belt on the Table.

*Meaning Burlington.

Then taking four other Strings of Wampum, he said, "these were sent to us by Nihas, the Mohock Chief, with a Message that he was arrived in this Province, and desired we would Comply with the Invitation, and come down."

Here he laid the four Strings on the Table.

Nihas having acknowledged the Message, and taken up the Strings, Tægashatæ concluded, saying, "these are your Belts, by which we were invited to this Council fire, and as we are now come, we return them, and desire to see the Belts that were sent by us, particularly one," on which were several Images of Men holding each other by the Hand.

The Governor replied, "that he would enquire for the Belts sent by them, and they should be returned."

The Substance of these last Speeches of Tagashata was Interpreted to Teedyuscung and the Delawares.

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October the 9th, 1758.

This morning his Excellency, Governor Bernard, arrived at Easton, and desired a Meeting of the Indians, in order to make them the usual Complements, but was acquainted by Mr. Weiser, that they were then in Council, deliberating on Matters necessary to be adjusted before the meeting.

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October the 10th, 1758.

The Indian Chiefs continued in Council the greatest part of this Day, and desired the Governors would not be impatient.

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October the 11th, 1758.

This Morning the Indian Chiefs communicated to the Governors, by Mr. Weiser, the Business they had been consulting upon, and said they had concluded to speak to us this forenoon. The Governors waited till One o'Clock, expecting the Indians to meet them, being told that they were gathering together for that Purpose, but they not coming, and several Messages sent to hasten them, it was agreed to meet punctually at Four o'Clock.

At a Conference held at Easton with the Indians, Octo^{r} 11th, 1758, P. M.

PRESENT:

Governor DENNY, with his Council, and the Several Pennsylvania Gentlemen as before.

Governor BERNARD.

Andrew Johnson, Charles Read, John Stevens, Jacob Spicer, William Foster, } Esqrs., Indian Commiss^{rs} for Jersey.

Tagashata, the Indian Chief, Intending to speak first on behalf of the Indians, had laid some Belts and Strings in order on the Table.

As soon as the Company sat down, Teedyuscung, holding out String, said he had something to deliver, and desired he might be heard first of all. Mr. Croghan requested to know if what he was going to say was the result of the Delaware Council, and if it was their desire it should be spoke first, but no Answer was given him to this. Governor Bernard signifying his desire to bid the Indians welcome and just mention to them the Business he came upon, it was agreed he should speak first, which he did as follows:

"Brethren:

"I am glad to see so many of you met together to cultivate Peace with your Brethren and Old Friends, the English. I heartily bid you welcome, and wish that the good Work for which you are now assembled may prosper in your Hands, and have that Success which your wise Men and all that wish you well may desire, as a thing much to your Advantage.

"The Situation of the Province over which I preside, and the disposition of its People, have hitherto afforded very little Occasion for Treatys with the Neighbouring Indians; but having some Months ago Sent a Message to the Minisinks, I received a Message from our Brethren the Senecas and Cayugas, wherein they take upon them to Answer my Message to the Minisinks, and desire that I would meet them at the Council fire burning at this place.

"It is not usual for the King's Governors to go out of their Provinces to attend Treaties; but I am glad to have an Opportunity of shewing my good Disposition to establish Peace and Friendship with my neighbours, and therefore I have waved all forms, and am come here according to the invitation I received at Burlington.

"To you, therefore, our Brethren, the Senecas and Cayugas, and your Nephews, the Minisinks, I now speak, and desire that you would take into your most serious Consideration, my Message to the Minisinks, your Message to me, and my Answer thereto, and let me know what we are to Expect from you.

"What is past we are willing to forget; but I must remind you that if you are disposed to be our friends for the future, you should give us that Proof of your Sincerity which I have desired in my Answer to your Message, and return us the Captives that have been taken out of our Province, and are now within your Power; this should be one of the first Steps, and will be the best that can be taken towards restoring and confirming that Brotherly Love and Friendship between us, which I am convinced will be for the Mutual Benefit of all Parties."

This was interpreted in the Six Nation Language by Mr. Weiser, and in the Delaware by Mr. Stephen Calvin, the Indian Schoolmaster in West Jersey.

Then Teedyuscung spoke:

"Brethren:

"I desire all of you who are present will give Ear to me; As you, my Brethren, desired me to call all the Nations who live back, I have done so; I have given the Halloo, and such as have heard me are present. Now, if you have anything to say to them, or they to you, you must sit and talk together.

"Brethren:

"I sit by only to hear and see what you to say to one another, for I have said what I have to say to the Governor of Pennsylvania, who sits here; he knows what has passed between us. I have made known to him the Reason why I struck him. Now I and the Governor have made up these Differences between him and me, and I think we have done it, as far as we can, for our future Peace."

A String.

The above speech was interpreted in the Six Nation Language.

Tagashata then rose up and spoke:

"Brethren, the Governors, and your Councils:

"It has pleased the Most High that we meet together here with chearful Countenances, and a good deal of Satisfaction; and as publick Business requires great Consideration, and the Day is almost spent, I chuse to speak early to-morrow morning."

The Governor answered, that they should be glad to give all the Dispatch possible to this good Work they were engaged in, and desired the Chiefs would fix the Time of meeting; but they declined it, saying, they were unacquainted with Hours, but would give Notice when they were ready.

At a Conference held at Easton, on the 12th of October, 1758.

PRESENT:

The Governors.

The Gentlemen of their Council, And others, as before.

Tagashata, the Seneca Chief, taking the Strings and Belts of Wampum, which Governor Bernard gave Yesterday, repeated, according to the Indian Custom, the particulars of his Speech, and then added:

"Brethren:

"We approve of every Article mentioned to us, yesterday, by the Governor of Jersey—all that he said was very good; we look upon his Message to us as a Commission, and request from him that we should bring Matters to a good Conclusion with our Couzins, the Minisinks. They, themselves, sent for us to do the same thing, on their Behalf; and at their request we came here, have taken it in hand, and will use our utmost Endeavours to bring about the good work which Governor Bernard desires; and do not doubt but it will be done to his entire Satisfaction.

"Brethren:

"I now speak at the request of Teedyuscung and our Nephews, the Delawares, living at Wioming and on the Waters of the River Susquehannah.

"Brethren:

"We now remove the Hatchet out of your Heads that was struck into them by our Couzins, the Delawares; it was a french Hatchet that they unfortunately made use of, by the Instigation of the French; we take it out of your Heads and bury it under ground, where it shall aways rest and never be taken up again; Our Couzins, the Delawares, have assured us they will never think of War against their Brethren, the English, any more, but employ their thoughts about Peace, and Cultivating Friendship with them, and never Suffer Enmity against them to enter into their Minds again.

"The Delawares desired us to say this for them by this Belt."

A Belt.

"Brethren:

"Our Nephews, the Minnisink Indians, and three other different Tribes of that Nation, have at last list'ned to us and taken our Advice, & laid down the Hatchet they had taken up against their Brethren, the English, They told us they had received it from the French, but had already laid it down and would return it to them again.

"They assured us they would never use it any more against you, but would follow our Advice, and entreated us to use our utmost

Endeavours to reconcile them to you, their Brethren, declaring they were Sorry for what they had done, and desired it might be forgotten and they would forever cultivate a good Friendship with you; These declarations were made by the principal Warriors of Four Tribes of the Minisink Indians at giving us this Belt.

A Belt.

Then taking Eight Strings of black Wampum, he proceeded.

"Brethren:

"We let you know that we have not only brought about this Union with our Nephews on the Waters of the River Susquehannah, but also have sent Messages to our Nephews, the Delawares and Minisinks, and to those likewise of our own Nations, who are on the Ohio under the influence of the French; We have told all these that they must lay down the French Hatchet, and be reconciled to their Brethren, the English, and never more employ it against them, and we hope they will take our Advice; We, the Mohocks, Senecas and Onondagas, deliver this String of Wampum to remove the Hatchet out of your Heads that has been struck into them by the Ohio Indians, in order to lay a Foundation for Peace."

Eight Strings of Black Wampum.

Tagashata sat down and then the Cayuga Chief, Tokaaio, arose and said.

"Brethren:

"I speak in behalf of the younger Nations, part of and confederated with the Six Nations, Viz^{t}: The Cayugas, Oneidoes, Tuscaroras, Tuteloes, Nanticokes, and Conoys.

"A Road has been made from our Country to this Council Fire that we might Treat about Friendship; and as we came down the Road we saw that (by some misfortune or other) Blood has been spilt on it. By these Strings we make the Road wider and Clearer. We take the Blood away out of it, and likewise out of the Council Chamber, which may have been stained. We wash it all away and desire it may not be seen any more, and we take the Hatchet out of of your Heads."

Gave three Strings.

"Brethren, the Governors, and all the English:

"I now confine myself to the Cayugas, my own Nation.

"I will hide nothing from you, because we have promised to Speak to each other from the Bottom of our Hearts.

"The French, like a thief in the Night, have stolen away some of our Young Men and misled them, and they have been concerned in doing Mischief against our Brethren, the English.

"We did not know it when it happened, but we discovered it since. The Chiefs of your Nation held their young men fast, and

would not Suffer them to go out of their Sight; but the French came and stole them away from us, and corrupted them to do Misschief. We are sorry for it; we ask Pardon for them, and hope you will forgive them. We promise they shall do so no more, and now, by this Belt, we take out of your Heads the Hatchet with which they struck you."

A Belt of Ten Rows.

He added, he had found out that some of their Young People had been concerned in stricking us four times.

At a Conference with the Indians held at Easton, Octo$^{r.}$ the 13th, 1758.

PRESENT:

Governor DENNY.

Governor BERNARD.

The Same Gentlemen, Indians, Interpreters, &c$^{a.}$ as before.

As soon as the Indians had taken their seats Governor Denny made the following Speech:

"Brethren, Chiefs and Warriors of the United Nations, and others your Brethren and Nephews now met here:

"Agreeable to your Request at our first meeting, I now return you the Belt which the Young Seneca Indian brought me, with your Answer to the Invitation I gave you to come down to this Council Fire."

Here his Honour returned the Belt.

"Brethren:

"I invited you to come down to the Council Fire kindled at this Place by me and your Nephew, Teedyuscung, with a design to Lay before you Matters of the greatest Consequence to you and us. I am now about to communicate them to you, and to Answer all that has been said by you to me since our meeting together. I, therefore, by this String, Open your Ears that you may hear clearly and carefully attend to what I shall say to you."

A String.

"Brethren:

"I must first put you in mind, that perfect Peace and Friendship subsisted between you and your Brethren, the English in this Province, from our first Settlement among you, and that whatever little Disputes happened between your People and ours, they were amicably settled and adjusted by our wise Men at our Council Fires, according to an agreement made by our Proprietary William Penn, and your Fathers.

"Had this wise Agreement been carefully observed, as it always ought to have been, our late unhappy Differences had never arose. But what is passed cannot be recalled, and shall be forgotten. Let us both resolve never to be guilty of the like Error for the future."

A String.

"Brethren:

"You gave us yesterday these two Belts, in behalf of your Nephews, the Delawares and Minisinks, and joined with them in taking out of our Heads the Hatchets with which we had been struck, acquainting us, that these Hatchets were given to your Nephews by the French, and that they would not use them any more against us, but were heartily disposed to Cultivate Friendship with us for the future.

"Brethren:

"We accept your Belts; we thank you for the Pains you have taken in enquiring of your Nephews into the true Cause why they struck us.

"Now that the Hatchets are taken out of our heads, and we are reconciled, we desire that your Nephews, the Delawares and Minisinks, will conceal nothing from you and us that ever did, or now does, lie heavy on their minds, that the end of this meeting may be answered, which was, with your assistance, to put Matters that have at any time disturbed their Minds on such a just and reasonable footing, that the Peace between us may never be interrupted, but continue firm to the remotest Ages."

Two Belts.

"Brethren:

"By these eight Strings of black Wampum, you, the Mohocks, Senecas, and Onondagoes, told us that You had not only brought about an Union with the Delawares and Minisinks, on the Waters of the River Susquehannah, but had also sent Messages to the Indians now on the Ohio, as well those of these two Nations, as those of the Six Nations, under the French influence, desiring them to lay down the Hatchet, and enter again into Friendship with their Brethren the English, and on their behalf you have taken the Hatchet out of our Heads, so far as to lay a Foundation for a future Peace.

"Brethren, the Mohocks, Senecas, and Onondagoes:

"This was a friendly Part, and we flatter ourselves they will hearken to you, as there are now Deputies here from those Indians on the Ohio, with Messages to us, which will be delivered in Publick.

"We accept your Strings and approve your taking the Hatchet on the behalf of the Ohio Indians, out of our Heads, so far as to make it the Foundation of a future Peace.

Nine Strings.

"Brethren, the Cayugas, Oneidoes, Tuscaroras, Tuteloes, Nanticokes, or Conoys, the younger Nation who are parts of and united with the Six Nations.

"By these strings you say, that as you came down the Road which has been opened from your Country to this Council Fire, you saw Blood lately spilt upon it, and have washed it away, not only out of the Road, but out of the Council Chamber, least that should have been stained."

"Brethren:

"We join by these Strings with you in removing the Blood, we bury it deep in the earth."

Three Strings.

"Brothers, the Cayugas:

"With this Belt you justly Lament the folly of your young Men, who have suffered themselves to be stolen away from you by the French, and then, at their Instigation, to strike us; you take the Hatchet out of our Heads, you ask Pardon for them, and desire we will forgive the Mischief they have done us, and both you and they promise never to Hurt us more.

"Brethren:

"We accept the Belt in their Behalf, and give you this Belt in token of our Friendship and Reconciliation."

A Belt.

"Brethren:

"You may remember that the Day before Yesterday, your Nephew, Teedyuscung, told me by this String, that he had already said to me at our former Meetings, every thing he had to say, and had made me acquainted with the Cause why he had struck us, and that I knew what had passed between us; That we had made up all Differences, and had done it as far as we could, for our future Peace.

"That at my Request, he had given the Halloo, and brought down to this Place you who heard him, and are now present, and that he would sit by and hear what he said together.

"Brethren:

"As there are a great many of you here who were not present at our former Meetings, I think it proper, for your information, to give you a short account of what has passed between your Nephews, the Delawares, and us.

"About three years ago your Brethren, the English, living on the Borders of this Province were struck on a sudden, at a time when they were in profound Peace with you, and following the Business, Suspecting no Danger. Many were killed, and others carried away Captives.

"We were surprized, and did not know who struck us, but sent Messengers up the Susquehannah as far as the Six Nation Country, to enquire whence the Blow came, and for what reason.

"On the return of these Messengers, we were informed that the Hatchet had been struck into our Heads by our Countrymen, the Delawares and Shawanese.

"Sometime after this Discovery was made, a Cessation of Hostilities was brought about by the Six Nations, at our Request, made to them for that purpose by Sir William Johnson; and upon our Invitation, our Brother Teedyuscung came down, with a Number of Delawares and other Indians, to a Council Fire kindled at this Place, where we have since had several Meetings.

"At one of these Meetings, Teedyuscung told us that the Cause of the War was, their foolish Young Men had been perswaded by the Falshearted French King to strike their Brethren, the English; and one reason why the Blow came harder was, that the Proprietaries of this Province had taken from them, by Fraud, the Ground we now stand on, and all the Lands lying between Tohicon Creek and Wioming, on the River Susquehannah.

"At last all blood was Wiped away and buried under Ground, the Peace Belts were then exchanged between us and our Brother Teedyuscung, who then told us he acted in behalf of Ten Nations, and promised to bring in and restore to us all our Fellow Subjects that had been carried off Prisoners by them.

"For the Truth of this short Relation, I refer you to our Brother Teedyuscung, who will confirm it to you more particularly."

A Belt.

"Brethren:

"To continue our Friendship, it is absolutely necessary to preserve Faith, and keep the Promises we make with each other.

"I will speak plainly to you, and from the Bottom of my Heart, as one Friend ought to another, that nothing may lie heavy on my Mind to disturb me hereafter; and I expect the same Openness and Freedom on your Parts.

"I desire, therefore, to know the Reason why our Flesh and Blood, who are in Captivity, and in your Power, have not been delivered to us, according to the Promise made us by our Brother, Teedyuscung, in behalf of all the Indian he represented; and what is become of those Belts we gave him to confirm the Peace and that Promise; for, till that Promise is complied with, we can never sleep in Quiet, or rest satisfied in the Friendship of those we detain our Children and Relations from us."

A Belt.

After the Governor had done Speaking, the United Nations gave the usual Shouts of Approbation, with great solemnity, each according to Rank.

Then Governor Bernard delivered the Belts requested by the Senecas, Cayugas, and Minisinks, and spoke as follows:

"Brethren:

"The Governor of Pennsylvania has given a particular Answer to what has been said to us both. So far as his answer relates to the Province over which I preside, I confirm what has been said by this Belt."

A Belt.

Previous to what follows, it is necessary to observe that Pisquitomen and another Ohio Indian, having come to Philadelphia last Summer, acquainted the Governor that the Indians in those Parts had not received any account of the late Transactions with this Government; nor any Message from it, and that they might be perswaded to Lay down their Hatchet; the Governor therefore took that Opportunity to send a friendly Message to those Indians by Pisquitomen, and appointed Mr. Frederick Post, a German, who understood the Delaware Language, to attend him, and acquaint the Indians at the Ohio of the Peace made by the Susquehannah Delawares, and other Indians, and the Disposition of this Government to forgive what was past, if they would return to their Antient Alliance. This Message was accordingly delivered and an answer returned by Frederick Post, Pisquitomen, and Thomas Hickman, an Ohio Indian, who having came down together as far as Harris' Ferry, Frederick Post went to wait on General Forbes, and left the two Indians to proceed with the Message, who being now arrived at Easton, Pisquitomen, who had the particular Charge of it, introduced it as follows:

"Brethren:

"When I was at Allegheny, the Chief Men sat together as we do here now. I was employed by the Governor, Teedyuscung, and Israel Pemberton, these three men, pointing to them, and the Chief Men told me, that when I should come among the English Inhabitants, I must shake hands for them with the Governor, Teedyuscung, and Israel Pemberton [here he shook Hands with them], and that what they had to say was written down in a Paper, which he then produced, and said they desired it might be read in Publick. Now, you, Gentlemen, who are Head Men, sent Frederick Post with me, desiring me to take and carry him in my Bosom there, and when I came there to introduce him to the Publick Council, I did this, and have brought him back safe again.

Then taking a Belt and three Strings of Wampum, which were delivered with the Paper, he said he would interpret them, but as all that was said was truly set down in the writing, it was not necessary; Let it be read.

Then Pisquitomen delivered the Paper with the Belt, and three Strings of Wampum, who, on being asked afterwards to whom they

were sent, answered, one was sent to the Governor, another to Teedyuscung, and another to Israel Pemberton. The Message was read in these Words:

"The Indians speak now. Brethren, hear what I have to say.

"Brethren:

"It is a good many Days since we have seen and heard of you from all sorts of Nations.

"Brethren:

"This is the first Message which we have seen and heard of you; we have not yet rightly heard you.

"Brethren:

"You have talked of that Peace and Friendship which we had formerly with you.

"Brethren:

"We tell you to be strong, and always remember that Friendship which we had formerly.

"Brethren:

"We desire you would be strong, and let us once more hear of our good Friendship and Peace we had formerly.

"Brethren:

"We desire you to make haste, and let us soon hear of you again."

Gave a String.

"Brethren:

"Hear what I have to say; look Brethren; since we have seen and heard of you of all sorts of Nations, we see that you are sorry that we have not that Friendship we formerly had.

"Look Brethren; we at Allegheny are Likewise Sorry that we have not that Friendship with you we formerly had.

"Brethren:

"We long for that Peace and Friendship we had Formerly.

"Brethren:

"It is good that you have held that Friendship which we had formerly amongst our Fathers and Grandfathers.

"Brethren:

"We must tell you we will not let that Friendship quite drop which was formerly between us. Now, Brethren, it is three years since we dropped that Peace and Friendship which we formerly had with you. Now, Brethren, that Friendship is dropped and lies buried in the Ground where you and I stand in the middle between us both. Now, Brethren, Since I see you have digged up and revived that Friendship which was buried in the Ground; now you

have it; hold it fast: Do; be strong, Brethren, and exert yourselves, that the Friendship may be well established and Finished between us.

"Brethren:

"If you will be strong it is in your Power to finish that Peace & Friendship well.

"Now, Brethren, we desire you to be strong, and Establish and make known to all the English of this Peace and Friendship that it, over all, may be well established, as you are of one Nation and one Colour in all the English Governments.

"Brethren:

"When you have made this Peace, which you have begun, known every where amongst your Brethren, and have finished and agreed every where together on this Peace and Friendship, then you will be pleased to send it to me at Allegheny.

"Brethren:

"When you have settled this Peace and Friendship, and Finished it well, and you send it to me, I will send it to all the Nations of my Colour; when I receive of you the Answer, and I have looked that every thing is well done, So that I can send it to the Nations of my Colour, they all will join to it, and we all will hold it fast.

"Brethren:

"When all the Nations join to this Friendship, then the Day will begin to shine clear over us; when we once hear more of you, and we join together, then the Day will be Still, and no Wind or Storm will come over us to disturb us.

"Now, Brethren, you know our Hearts and what we have to say; be strong. If you do so, every thing will be well, and what you have told, you in this all the Nations agree to join.

"Now, Brethren, let the King of England know what our Minds are as soon as possible you can."

Gives a Belt of eight Rows.

Received the within Speech from the underwritten, who are all Captains and Counsellers, Viz^{t}:

Beaver King,	Owahanomin,	Macomal,
Shingas,	Cockquacaukeheton,	Popauco,
Delaware George,	Cuhshawmehwy,	Washascantant,
Pisquitom,	Kekeknapalin,	Joh. Hickman,
Tassacomin,	Captain Peter,	Kill Buck.

The above names is of Captains and Counsellers. After this was interpreted in the Six Nation Language, and in the Delaware, the Three Strings were delivered to the Governor, Teedyuscung, and Israel Pemberton.

As the Governor was going to close the Conference, Nichas, the

Mohock Chief, spoke for some Time with great vehemence, pointing to Teedyuscung, and Mr. Weiser was ordered to interpret it, but he desired to be excused, as it was about Matters purely relating to the Indians themselves, and desired Mr. Montour might interpret it. After some pause, he said, perhaps it might be better if it was interpreted to the Governors' Councils and Commissioners in a private Conference. Mr. Weiser was desired to mention this to the Indians, and know of them what they would chuse should be done, whether it should be interpreted now or at a private Conference, and they answered now; but soon after they said, that at the Request of Mr. Weiser, they consented that it should be interpreted in the Morning at a private Conference.

—

October the 14th, 1758.

The Indians declined meeting to-Day.

At a private Conference with the Indians on the 15th of October, 1758.

PRESENT:

Governor DENNY, His Council, and the Committee of Assembly.

Governor BERNARD and the Jersey Commissioners.

Chiefs of the Mohocks, Senecas, and Onondagoes; Chiefs of the Oneidoes, Cayugas, Tuscaroras, Nanticokes, or Conoys, and Tuteloes.

Nichas, the Mohock Chief, stood up, and directing his discourse to both Governors said:

"Brothers:

"We thought proper to meet you here to have some private discourse about our Nephew, Teedyuscung.

"You all know that he gives out he is a great Man, and Chief of Ten Nations—this to his Constant Discourse. Now I, on behalf of the Mohocks, say we do not know he is such a great Man. If he is such a great Man we desire to know who made him so. Perhaps you have, and if this be the case tell us so. It may be the French have made him so.

"We want to enquire and know whence his greatness arose."

Tagashata, on the Behalf of the Senecas, spoke next.

"Brethren:

"I, for my Nations, say the same that Nichas has done: I need no repeat it. I say we do not know who has made Teedyuscung this great man over Ten Nations, and I want to know who made him so."

Assarandonquas spoke next on behalf of the Onondagoes.

"Brethren :

"I am here to represent the Onondagoes, and I say for them that I never heard, before now, that Teedyuscung was such a great Man, and much less can I tell who made him so. No such thing was ever said in our Towns as that Teedyuscung was such a great Man."

Thomas King spoke next.

"Brethren, the Governors, and all present :

"Take notice that I speak in behalf of Five Nations, who have their Deputies here present, Viz^{t}: The Oneidoes, Cayugas, Tuscaroras, Nanticokes, and Conys, who have joined together and now make one Nation, and Tuteloes. We Five are all connected together, and if any thing is said to one of us it is Communicated to the rest.

"On their Behalf I now tell you we none of us know who has made Teedyuscung such a great Man. Perhaps the French have, or perhaps you have, or some among you, as you have different Governments and are different People. We, for our parts, intirely disown that he has any Authority over us, and desire to know from whence he derives his Authority."

A Belt.

Tokaaio, the Cayuga Chief, spoke:

"Brethren :

"I speak now to you on behalf of the Nations just now mentioned to you; you may remember that you said the other Day you could not be easy without your Prisoners were returned. We have considered this, and I now assure you that they shall be returned.

"We speak from the Bottom of our Hearts; we will look carefully into all our Towns for them. You shall have them all. We will keep none. If there be any of them that have gone down our throats we will throw them up again. You told us a Tender Father, Husband, Wife, Brother, or Sister, could not sleep sound when they reflected that their Relations were Prisoners. We know it is so with us, and we will therefore use our Endeavours to make your Hearts Easy, and we give you this Belt as a Promise that we will perform our Words."

A Belt.

Nichas spoke next in behalf of the Mohocks, Senecas, and Onondagoes.

"Brethren :

"I speak now on behalf of my own Nation, and my two other Brethren, Deputies of the Senecas and Onondagoes. We remember you desired us to leave nothing in our Hearts, but speak open on every matter, and you said you would do the same to us.

"You told us, that you could not sleep sound whilst your Prisoners were detained from you, nor could you have any confidence in the Friendship of those who did detain them. We of these three Nations promise, that we will use our best Endeavours to make you easy; When we return, we will enquire of every Town for the Prisoners; We will call our Councils, and lay what you have said before them, and make diligent Enquiry for them through all our Towns, and all that we can find you shall see.

"If any of them are gone down our Throats, we will heave them up again."

A String of Seven Rows.

At a Conference with the Indians on the 16th of October, 1758.

PRESENT:

The Governors and the Gentlemen of their Councils, &c[a].

The Minutes of the preceding Conferences were read and approved.

Those of Yesterday's private Conference were read, at the particular Desire of the Chiefs of the Eight Nations, and interpreted to Teedyuscung and the Delawares in the Delaware Language by Mr. Stephen Calvin.

The Governors then spoke separately, Governor Denny beginning as follows:

"Brethren, the Mohocks, Onondagoes, Senecas, Oneidoes, Cayugas, Tuscaroras, Nanticokes, and Tuteloes:

"In a Conference held with you yesterday, you told me, that we know your Nephew, Teedyuscung, gives out that he is a great Man, and Chief of Ten Nations, and that this was his constant Discourse. By this Belt, therefore, you denied him to be so great a Man, and desired to know of me who made him so, or gave him Authority over you.

"Brethren:

"I will answer you truly, and tell you in a few Words all that I know of the Matter. I have already informed you that after the Delawares had Struck us, you, our good Friends, the United Nations, advised them to sit still and do us no more mischief; and that soon after this we invited the Delawares to meet us at a Council Fire kindled at this Place.

"We received an Answer to our Message from Teedyuscung as a Chief among the Delawares. At the Time appointed he came and told us that he represented Ten Nations, amongst which the United Nations were included; that he acted as a Chief Man for the Delawares, but only as a Messenger for the United Nations, who

were his Uncles and Superiors, to whom he would faithfully carry every thing that should be transacted between us that they might do as they saw Cause.

"We believe what your Nephew told us, and, therefore, made him a Counsellor and Agent for us, and desired him to publish to all Nations of Indians what we did at our Council Fires, and to let them know we were sincerely disposed to be at peace with them.

"Brethren:

"I can only speak for myself, and do assure you that I never made Teedyuscung this great Man, nor ever pretended to give him any Authority over you; and I must do him Justice to declare to you that at our former publick Treaties Teedyuscung never assumed any such Power; but on many Occasions when he spoke of you called you his Uncles and Superiors.

"I never shall attempt to nominate or impose a Chief on any Indian Tribe or Nation, but on all Occasions will pay due regard to those who are chosen by their Countrymen.

"If any others have made Teedyuscung so great a Man as to set himself above you I am sorry for it. It is more than I know, and they who have done it must answer for themselves.

I should be greatly concerned that any uneasiness should arise among you, and hope you will guard against it, and preserve that Harmony which ought to subsist between Friends and Relations.

"Brethren:

"By this Belt and String you promised me to make Diligent Search in your Towns for our Flesh and Blood who are Prisoners among you and return them to us.

"Brethren:

"We have always found you honest and punctual in the performance of your Promises. Your Words, therefore, give me great Comfort and fill all our Hearts with Pleasure.

"We rely upon you that no Time may be lost in fulfilling an Engagement on which our Peace and Quiet so greatly depend."

A Belt and String.

The Governor Bernard spoke:

"Brethren of all the Confederated Nations:

"As you proposed your Question concerning Teedyuscung separately I think it proper to give you a separate Answer thereto.

"I know not who made Teedyuscung so great a Man, nor do I know that he is any greater than a Chief of the Delaware Indians settled at Wioming. The Title of King could not be given him by any English Governor, for we know very well that there is no such Person among Indians as what we call a King; And if we call him so, we mean no more than a Sachem or Chief. I observe in his

Treaties, which he has held with the Governors of Pennsylvania (which I have perused since our last meeting), he says he was a Woman till you made him a Man by putting a Tomahawk in his hand, and through all those Treaties, especially at the last held in this Town, he calls you his Uncles, and professes that he is dependent on you, and I know not that any thing has since happened to alter his Relation to you. I therefore consider him to be still your Nephew.

"Brethren:

"I heartily thank you for your kind Promises to return the Captives which have been taken from us. I hope you will not only do so, but will also engage such of your Allies and Nephews who have taken Captives from us to do the same. That you may be mindful of this, I give you this Belt."

A Belt.

After the Governors had done speaking, and their Answers were interpretted in the Six Nation and Delaware Languages, the Indian Chiefs were asked if they had any thing more to say, upon which Tagashata arose and made a Speech to his Couzins, the Delawares and Minisink Indians, directing his discourse to Teedyuscung:

"Nephews:

"You may remember all that passed at this Council Fire. The Governors who sit there have put you in mind of what was agreed upon last year. You both promised to return the Prisoners. We, your Uncles, put you in mind of this Promise, and desire you will perform it. You have promised it, and you must perform it. We your Uncles have promised to return all the English Prisoners among us, and therefore we expect that you our Cousins and Nephews will do the same. As soon as you come home we desire that you will search carefully into your Towns for all the Prisoners among you that have been taken out of every Province, and cause them to be delivered up to your Brethren. You know that this is an Article of the Peace that was made between you and your Brethren, in Confirmation of which you received a large Belt; of which Belt we desire you will give an Account, and let us know what is become of it, and how far you have proceeded in it."

A Belt.

After this was interpretted in the Delaware Language it was observed that there was no Minisink Indians Present. The Governors desired Mr. Read and Mr. Peters would procure a Meeting of the Chiefs of the united Nations with the Delawares and Minisinks, and cause the speech of Tagashata to be interpretted to the Minisinks in the presence of their Uncles.

Robert White, the Nanticoke Chief, arose and said, he was going to speak in the Behalf of Seven Nations, and, directing his Discourse

to the Governors, he delivered himself in the English Language as follows:

"Brethren:

"It is now more then two Years past since we heard of our Cousins, the Delawares, taking up the Hatchet against the English. At the first Sir William Johnson sent a Message to the Head Nations, and when they received it, they sent one to us at Otsaningo, telling us, that as we lived close by our Cousins, they desired we would invite them to meet at our Town, and accordingly we invited them, and they came to a great meeting at our Town of Otsaningo. We then gave our Cousins a Belt of a Fathom long, and Twenty-five Rows in Breadth, and desired them to lay down the Hatchet that they had taken up against the English, and to be easy with them, and if they would follow this Advice, we told them that they would Live in Peace until their Heads were white with Age, otherwise it might not be so with them.

"Not hearing from our Cousins for some time, What they did in Consequence of this Belt, we sent them two other belts, one of Sixteen, and the other of twelve Rows, desiring them once more to be easy with their Brethren, the English, and not to strike them any more, but still we heard nothing from them. Indeed some time afterwards we understood the Delawares should say that the Indians at Otsaningo had grey Eyes, and were like the English, and should be served as Englishmen; and we thought we should have the Hatchet struck into our Heads. We now want to know what is become of these Belts; may be they may be under Ground, or they have swallowed them down their Throats.

"Brethren:

"As our Cousins have been loath to give any Answer to these Belts, we now desire they may let us know, in a Publick Conference, what they have done with them."

A String.

October 17th, 1758.

The Indians were in Council all Day, and acquainted the Governors that they could not be ready to meet before morning.

At a Conference held at Easton on the 18th of October, 1758.

PRESENT:

The Governors, Council, Gentlemen, and Indians, with the Interpreters as before.

Mr. Read and Mr. Peters acquainted the Governors, that at a meeting of the Chiefs of the Older and Younger Nations with the

several Tribes of the Delaware and Minisink Indians on Monday Night, the Speech of Tagashata, delivered that morning in the Publick Conference, respecting the giving up the Prisoners, was interpreted in the Delaware Language by Stephen Calvin, and another Belt, on the part of the Governor, being joined to Tagashata's Belt, they were both delivered to the Delaware and Minisink Chiefs, to enforce the Matter. When this was done, Tagashata spoke to the Minisink Chief, Egohohowen, saying, "we were told by you that you had delivered up the English Prisoners, and we believed you. But our Brethren have told us that they were not delivered up, and therefore we earnestly desire that they may be made easy on this Article. You know, Cousins, that their Hearts will always be in Grief till they see again their Flesh and Blood. It is natural that they should be so. It would be so with us if it was our case. We desire you will be extremely carefull to perform this matter fully and soon. Let there be perfect Peace over all the English Country, And now let it be published, that we may all live in Peace, and with Satisfaction, now and for ever. I told you, Egohohowen, when you was in my Town, to bring with you the English Prisoners, and that our Brethren would expect it. I wish you had done it. But, however, do it now with all speed, and it will be well."

Egohohowen answered, "it is true I was at my Uncle's Fire, and I believe he desired me to bring the Prisoners down, but I suppose it was not interpreted to me, for I did not understand it clearly, but I now understand it."

The Minisink and Delaware Indians were desired to collect all their Warriors together, and give them these Belts, and receive from them their answer, it being necessary they should concur heartily in whatever should be concluded.

Nichas, the Mohock Chief, acquainted the Governors, that, as Counsellors, they had finished, having nothing to propose at this present meeting. The Warriors were to speak now, and Thomas King was appointed to deliver their Words, who thereupon arose, and began with an Exhortation, as well to all concerned in Publick Affairs, Governors and their Councils, and Indian Chiefs and their Councils, as to Warriors of all Nations, White People and Indians, desiring all present to attend carefully to what was goin to be related as matters of great Consequence, which would serve to regulate the Conduct of English and Indians to each other. He added, that the Reason going to be made had taken a great deal of Trouble to put it into order, and it was made on Information given by the Several Indians now present, who were acquainted with the Facts. "Brethren, we, the Warriors, have waited some time, in Hopes our Counsellors would have taken this matter in hand; but as they have not done it, we have, at their desire, undertaken it, and they have approved of every Thing. I say, the Counsellors of the Five Younger Nations, as well as the three Older Nations have

approved of what the Warriors are going to relate; and take Notice, that the Speech is not only the speech of all the Warriors of the elder and younger Nations, but of our Cousins, the Delawares and Minisinks."

This was interpreted in the Delaware Language, and Thomas King then proceeded, directing his Speech to the Governors and all the English upon the Continent.

"Brethren:

"You have been inquisitive to know the cause of this War, you have often enquired among us, but perhaps you did not find out the true Cause of the Bitterness of our Hearts and may Charge us wrong, and think that you were struck without a cause by some of our own Warriors, and by our Cousins; But if you Look a little about you, you Will find that you gave the first Offence; For in Time of Profound Peace, some of the Shawanese passing through South Carolina to go to War with the Enemies, were taken up and put in Prison; The English knew they were going to War, and that they used to do it every Year; and yet, after they had perswaded them in a Friendly way into their Houses, they were taken up and put into Prison, and one who was an Head Man of that Nation, lost his Life, and the others were severely used; This first raised ill will in the minds of the Shawanese, and as the French came a little after this happened to settle on the Ohio, the Shawanese complained of it to them, and they made an artful use of it, set them against the English and gave them the Hatchet. Being resolved on Revenge they accepted it, and likewise spoke to their Grandfathers, the Delawares, saying, 'Grandfathers, are not your hearts sore at our being used so ill, and at the Loss of one of our Chiefs? Will not you join us in Revenging his Death?' So by Degrees our young Men were brought over to act against you; On Searching Matters to the Bottom, you will find that you in this manner, gave the first Offence; This we thought proper to let you know, It may be of Service for the future; You may be induced by this to take better care in Conducting your Business in Council so as to guard against these Breaches of Friendship, or, as soon as they happen in Corresponding immediately with one another, and with the Indians who are in any wise concerned on such Occasions."

Eight Strings of Black Wampum.

"Brethren:

"This was the Cause of the Shawanese, that I have just now related; another of the like Nature had since happened to the Senecas, who had suffered in the same.

"About three years ago eight Seneca Warriors were returning from War through Virginia, having Seven Prisoners and Scalps with them; at a place called Green Briar, they met with a Party of Soldiers, not less than One Hundred and Fifty, who kindly in-

vited them to come to a certain Store, and they said they would supply them with Provisions, and accordingly they travelled two Days with them in a Friendly Manner, and when they came to the House they took their Arms from the Senecas; The head men cryed out here is Death, defend yourselves as well as you can, which they did, and two of them were killed on the Spot, and one, a young Boy, was taken Prisoner; This gave great offence, and the more so as it was upon the Warriors road and we were in perfect Peace with our Brethren. It provoked to such a Degree that we could not get over it.

"Brethren:

"You have justly demanded your Prisoners; it is right; and we have given you an Answer. And therefore as we think this young Boy is alive, and somewhere among you, we desire you will enquire for him. If he be alive return him; if you have swallowed him down your Throats, which perhaps may be the case, let us know it and we will be content. His Name is Squissatego."

Six Strings of White Wampum.

"Brethren:

"We have one Word more to mention of the same Nature, and which was the very cause why the Indians at Ohio left you.

"Brethren:

"When we first heard of the French coming to the Ohio we immediately sent Word to the Governors of Virginia and Pennsylvania; we desired them to come, and likewise to supply us with such Things as were proper for War, intending to defend our Lands, and hinder the French from taking the Possession of them; But these Governors did not attend to our Message. Perhaps they thought there was no foundation for our Intelligence. The French however came and became our Neighbours, and you neither coming yourselves, nor assisting us with Warlike Stores, our People, of necessity, were obliged to Trade with them for what we Wanted, as your Traders had left the Country. The Governor of Virginia took care to settle on our Lands for his own Benefit; but when we wanted his assistance against the French he disregarded us."

A Belt.

"Brethren:

"At this Treaty you justly demanded to see your Flesh and Blood. We have pressed this on our Cousins, the Minisinks, and they, by this String, desired us to assure you, the Governors, that they would make strict search in their Towns, and Sincerely Comply with your Request, and return all the Prisoners in their Power."

Two Strings of black and white Wampum.

Then directing his discourse to the Governor of the Jersey he proceeded:

"Brother, the Governor of Jersey:

"Our Cousins, the Minisinks, tell us they were wronged out of a great deal of Land, and the English settling so fast they were pushed back, and could not tell what Lands belonged to them. If we have been drunk tell us so. We may have forgot what we sold, but we trust to you, the Governor of Jersey, to take our Cause in Hand, and see that we have Justice done us. We say that we have here and there Tracts of Land that have never been sold. You deal hardly with; you claim all the Wild Creatures, and will not let us come on your Land to hunt for them. You will not so much as let us peel a Single Tree. This is hard, and has given us great offence. The Cattle you raise are your own; but those which are Wild are still ours, and should be common to both; for our Nephews, when they sold the Land, did not propose to deprive themselves of hunting the Wild Deer or using a Stick of Wood when they should have Occasion. We desire the Governor to take this Matter into his Care, and see Justice done in it."

Two Strings of White Wampum.

"Brethren:

"All that has been said has been of one Nature, that is, of matters that are Subjects of Dispute; this that I am going to speak upon now is of another nature."

Then directing himself to the Governor of Pennsylvania, said:

"We must put you in mind that, four years ago, you bought at Albany a large Tract of Land over Susquehannah, extending from the Mouth of John Penn's Creek to the Ohio. The Proprietaries' Agents then paid One Thousand Pieces of Eight for the part which was settled by your People, that have since been driven off and killed. We acknowledge to have received Payment for those Parts which were settled, but for the other Part that we have not received Payment for, that we re-claim. Our Warriors or Hunters, when they heard that we had sold such a Large Tract of Land, disapproved our Conduct in Council, so now we acquaint you, that we are determined not to confirm any more, than such of the Lands as the Consideration was paid for, and were settled, tho' included in the Deed; they are our hunting Grounds, and we desire the request may be granted, and Notice taken that it was made in open Conference."

Three White Strings.

Then Thomas King sat down.

The Six Nation Chiefs being asked if they had any thing to say, answered, that they had done; and having eased their minds of all that lay heavy upon them, they would return home.

The Governor promised attentively to Consider what was said, and give them an Answer.

Teedyuscung then arose and spoke:

"Brethren:

"I should have said Something at the Time our Uncles laid before you their Grievances, or Causes of Complaint, in Behalf of my Countrymen who lived near Goshen. About three years ago Nine of their People were killed at Goshen, when they were in Peace. I will not take upon me to say that the Land had never been sold, but there was no Dispute about this at that time. I very believe that they killed those nine Indians, for no other Reason than because they were hunting on that Land. I speak to all the English when I mention this, as what was very wrong."

Three White Strings.

"Brethren:

"One of the Waping Tribes, or Goshen Indians, tells me, that as soon as those Nine Men were killed, he went, with three Belts and Tears in his Eyes, to George Freeland's, in order to have the matter made up, but he never received an Answer to this Day, tho' he told him that he would send the Bets to the Governor, and as soon as he should receive his Answer he would send for him and let him know it, but he has never yet received an Answer.

"Brethren:

"I give you this String to enquire what became of the three Belts, and what answer was made to them."

Three Strings of White Wampum.

"Brethren:

"You may remember we made Peace last year, and a Peace Belt was made, a Fathom long, and of Fifteen Rows. Mr. Croghan was present; so were some of my Uncles, and the Minisinks. They all saw it. You have asked me what is become of that Belt, and how far it went. I will tell you: I sent it up the Susquehannah to Diahogo; from thence it went to Assintzin; thence to Secaughkung. The Chief men there got together to Consider what was best to be done with it. They all concluded that it should be sent to our Uncle. He is a Man, and often told us he ought to see Things first, and Consider what is to be done. The Senecas had the Belt first, and then all the United Nations afterwards; they had it almost a Year. Now it is come back, and in Lapackpeton's Hands, who is one of the Delawares, and lives at Secaughkung. How far the Peace Belt went, I don't know, but I suppose it went through all my Uncles, and I assure you I will do as my Uncles does. He has promised you he will deliver up all your Captives, and I assure I will do so, wheresoever I find them in all my Towns. Four Tribes now present have agreed to this, Viz^t Delawares, Unamies, Mohic-

cons, and Wappings, who are settled as far as Secaughkung. This Belt confirms my Words."

A Belt.

"Brethren:

"I did let you know formerly what my Grievance was. I told you that from Tohiccon, as far as the Delawares owned, the Proprietaries had wronged me. Then you and I agreed that it should be laid before the King of England, and Likewise you told me you would let me know as soon as ever he saw it. You would lay the Matter before the King, for you said he was our Father, that he might see what was our Differences, for as you and I could not decide it, let him do it. Now let us not alter what you and I have agreed. Now, let me know if King George has decided the Matter between you and me. I don't pretend to mention any of my Uncles' Lands. I only mention what we, the Delawares, own, as far as the Heads of Delaware. All the Lands lying on the Waters that fall into the Susquehannah belong to our Uncles."

A Belt.

Teedyuscung then took up another Belt, designing to speak to his Uncles, the United Nations, but whilst he was delivering the above, their Chiefs had one after another left the Council, seemingly much displeased; he, therefore, declined speaking it.

October the 19th, 1758.

The Governors having prepared their Answers, desired the Indians to meet, but they continued holding private Councils among themselves all that day till late in the afternoon; and as the Governors were going to the Place of Conference, the Indians sent Mr. Weiser out of Council to desire they would defer meeting till the next morning, their own private Business not being finished.

At a private Conference with the Indians held at Easton, October the 19th, 1758, P. M.

PRESENT:

His Excellency, Governor BERNARD.

The Commissioners of New Jersey.

The Chiefs of the United Nations, and of the Minisinks and Wapings.

George Croghan, Deputy to Sir William Johnson.

Andrew Montour, His Majesty's Interpreter.

Stephen Calvin, Interpreter of the Minisink and Waping Language.

His Excellency, reciting the Request of the United Nations to him, to do Justice to their Nephews, the Minisinks, concerning their Claims to Lands in New Jersey, said, he would make diligent Enquiry what Lands were remaining unsold by them; but as that would be a Work of Time and Expence, he wished that some means could be found to give them Satisfaction at this Meeting. The People of New Jersey said they had bought all, or the greatest part of the Minisink Lands, and the Minisinks said they had a great deal of Land unsold.

He could not tell who was in the right, but would suppose there were some lands unsold; and upon that Supposition, would give them some Money by way of consideration for them, if they would propose a reasonable Sum, and desired they would advise about it, and give an Answer.

The United Nations said it was a very kind Proposal, and recommended it to the Consideration of the Minisinks.

The same Day, Teedyuscung waited on Governor Denny at his House, bringing with him Isaac Still for his Interpreter, and his Grandson; and in the presence of Governor Bernard, Mr. Andrew Johnson, and Mr. Peters, acquainted the Governor that the Delawares did not Claim Lands high up on Delaware River; those belonged to their Uncles; and he thought proper to let the Governor know this, that there might be no Misunderstanding of what he had said in the Publick Conference.

At a Conference with the Indians, held at Easton, October the 20th, 1758.

PRESENT:

The Governors, Council, Gentlemen, and Indians, with the Interpreters as before.

Governor Denny desired to know of Teedyuscung if he proposed to speak, as the abrupt departure of the Six Nation Chiefs from the Conference yesterday had prevented him from finishing what he had to say.

Then Teedyuscung arose, and addressing himself to the Six Nations, said:

"Uncles:

"According to our Old Custom, we used to speak to one another at Home; but we are now met upon Business; I must speak to you in the presence of the English Governors, and what I shall say I desire both you, the English, and my Uncles who are here, will attend to."

A Belt.

"Uncles:

"I take this opportunity of speaking to you in the Presence of our Brethren, the English, and two of their Governors: please to take notice what I am going to say.

"Uncles:

"You may remember that you have placed us at Wioming and Shamokin, places where Indians have lived before. Now I hear since, that you have sold that Land to our Brethren, the English. Let the matter now be cleared up in the Presence of our Brethren, the English.

"I sit here as a Bird on a Bow; I look about and do not know where to go; let me therefore come down upon the Ground, and make that my own by a good Deed, and I shall then have a Home for Ever; for if you, my Uncles, or I die, our Brethren, the English, will say they have bought it from you, & so wrong my Posterity out of it."

A Belt.

Governor Denny then requested the attention of the Indians, and Spoke:

"Brethren, Chiefs and Warriors of the Six United Nations, and your Nephews, here assembled:

"I am much obliged to you for the Account you gave me the Day before Yesterday of the True Cause of the Bitterness of your Hearts towards us, and the Reasons which induced some of your Young Men first to strike us, and others to side with the French on the Ohio.

"The Advice you gave us to take better care, and guard against any Breach of Friendship between us for the future, is very kind and wholesome; we will join with you, and Endeavour to prevent the like Evils for the time to come.

"I promise you that I will immediately send to the Governor of Virginia to enquire after the Seneca Boy, Squissatego, who you say was left a Prisoner in his Country, and if he is alive, you may depend on his being returned to you."

A Belt.

"Brethren:

"By these Strings you put me in mind that the Proprietaries, Four Years ago, bought of you, at Albany, a large Tract of Land over Susquehannah, from the Mouth of a Creek called Kayarondinhagh or John Penn's Creek to the Ohio, and were paid by the Proprietaries' Agents One Thousand Pieces of Eight, as the Consideration Money, for such Parts as were settled by our People; but that as your Warriors disapproved of your Conduct in Council for making that Sale, you now reclaimed such of the Lands contained in that Grant as you have not received a Consideration for.

"Brethren:

"The Proprietaries of this Province have on all Occasions manifested their particular Regard for you. They prefer your Friendship and the Publick good to their own Private Interest. Their former Conduct gives you no Room to doubt the Truth of this. What I am about to tell you is a further Confirmation of it. Therefore give me your Attention, and listen to what I shall say. You may remember that at a Treaty you held with your good Friend, Sir William Johnson, three Years ago, some of your wise men told him that there were some among them who were dissatisfied with the sale of the above Lands made by them at Albany, and were desirous that part of it should be reserved for them, though the Proprietaries had purchased it fairly of them and paid One Thousand Pieces of Eight, which was all they were to receive till our People settled to the Westward of the Allegheny or Appalaccin Hills. Sir William Johnson represented this matter to the Proprietaries in your Behalf, whereupon they chearfully agreed to release to you all that part of the Purchase you have reclaimed; and, by a Letter of Attorney, empowered Richard Peters and Conrad Weiser to execute a Deed to you for those Lands, on your Confirming to them the Residue of that Purchase. On this Subject, therefore, you will please to Confer with them and Settle the Boundaries between you, that they may release the Lands to you accordingly before you leave this Place, and set your Minds at Ease."

A String.

"Brethren:

"I thank you for the Pains you have taken with your Nephews to prevail with them to return us such of our Brethren as are Prisoners among them, and we depend on the Speedy Performance of their Promise.

"Brethren:

"I have something to say to you which is of the Utmost Importance to us all. It requires your particular Attention and Consideration. Providence has brought you and your Nephews together at this Meeting, Face to Face with us, that every thing may be settled; and nothing remains, not so much as a doubt, to create any uneasiness in our Hearts hereafter. You know, Brethren, that there is an Old Agreement between the Proprietaries and you, that you will not sell any of the Lands lying within this Province to any but them, and they never take Possession of Lands till they have bought them of the Indians. You know, also, that the United Nations have sold Lands to the Proprietaries which your Nephews, the Delawares, now claim as their Right. This is the Case with Regard to some Part of the Lands lying between Tohiccon Creek and the Head of the River Delaware, which Teedyuscung, in your hearing, the Day before Yesterday, said the Proprietaries had de-

frauded him of. The Proprietaries are desirous to do Strict Justice to all Indians; but it cannot be supposed they can know in which of you the Right was vested. It is a matter that must be settled among yourselves; till this is done there will probably remain some Jealousy and Discontent among you that may interrupt both your and our future Quiet, which we should guard against by all means in our Power."

A String.

"Brethren:

"I now acquaint you that a Store of all Sorts of Goods for your use is opened at Shamokin, where the Indians may be Supplied at the most reasonable Rates with any goods they may want; and the best Prices will be given to you for such Skins, Furs, and Peltry as you shall bring them. Another Store is intended to be opened at Fort Allen, and you may depend upon it that such Persons will be placed there who shall use you with the Strictest Justice in all their Dealings."

A String.

"Brother Teedyuscung:

"As I understood at our last Meeting that you were prevented at that Time by the absence of some of the Six Nation Chiefs, from finishing what you then had to say, I defer answering, for the present, such parts of your speech as relate to me. But I shall soon take an Opportunity of doing it."

This was interpreted to the Delawares by Isaac Still.

After the Governor had done speaking, Tagashata and Nichas arose and said they did not Rightly understand that Paragraph relating to the Lands, and requiring them to Settle Matters among themselves; they said the Governor had left Matters in the Dark, they did not know what lands he meant. If he meant the Lands on the other side of the Mountain he knew the Proprietaries had their Deeds for them, which ought to be produced and shewn to them. Their Deeds had their marks, and when they should see them they would know their marks again.

And then Conrad Weiser being desired to bring the Deed, Governor Bernard informed the Indians he was going to speak to them, on which they acquainted him, that they chose to be spoke to by one Governor only at a Conference; for that when they both spoke their Belts were mixed, and they were thereby confused in their Councils; Whereupon he deferred his Speech to another Time.

The Deed was then produced to the Indians, and Nichas said, "this Deed we well remember; we know our Chiefs who Signed it, some of them are present now; we sold the Land, and were honestly paid for it; the Land was ours, and we will justify it." They

were desired to take it with them into their Council room and Confer on it, and settle the matter among themselves.

The Conference then broke up.

Teedyuscung having yesterday requested of the Governor, that two Belts, which he then presented to him, might be sent as their joint Belts to the Ohio Indians.

This Day the Chiefs of the United Nations, and Teedyuscung, had a meeting with two Members of Governor Denny's Council, at which the following intended Answer from Governor Denny to the Ohio Indians, being first Interpreted to the Indians, was considered, settled, and approved by all present:

Governor Denny's Answer to the Message of the Ohio Indians, brought by Frederick Post, Pisquitomen, and Thomas Hickman.

"By this String, my Indian Brethren of the United Nations and Delawares join with me in requiring of the Indian Councils, to which these following Messages shall be presented, to keep every thing private from the Eyes and Ears of the French."

A String.

"Brethren:

"We received your Message by Pisquitomen, and Frederick Post, and thank you for the Care you have taken of our Messenger of Peace, and that you have put him in your Bosom, and protected him against our Enemy Onontio, and his Children, and sent him safe back to our Council Fire, by the same Man that received him from us."

A String.

"Brethren:

"I only sent Post to peep into your Cabbins, and to know the Sentiments of your Old Men, and to look at your Faces, to see how you look. And I am glad to hear from him that you look Friendly, and that there still remains some sparks of Love towards us. It is what we believed beforehand, and therefore we never let Slip the Chain of Friendship, but held it fast on our Side, and it has never dropped out of our Hands; by this Belt we desire you will dig up your end of the Chain of Friendship that you suffered, by the Subtilty of the French, to be buried."

A Belt.

"Brethren:

"It happened that the Governor of Jersey was with me, and a great many Indian Brethren, sitting in Council at Easton when your Messengers arrived, and it gave Pleasure to every one that heard it; and it will afford the same Satisfaction to our Neighbouring Governors and their People, when they come to hear it; I

shall send Messengers to them & acquaint them with what you have said.

"Your requesting to let the King of England know your good Disposition, we took to Heart, and shall let him know it, and we will speak in your Favour to His Majesty, who has for some time past looked upon you as his lost Children; And we can assure you that as a Tender Father over all his Children, he will forgive what is past, and receive you again into his Arms."

A Belt.

"Brethren:

"If you are in earnest to be reconciled to us, you will keep your Young Men from attacking our Country, and killing and carrying Captive our Back Inhabitants; And will likewise give orders that your People may be kept at a Distance from Fort Duquesne, that they may not be hurt by our Warriors, who are sent by our King to Chastise the French, and not to hurt you; Consider the Commanding Officer of that Army treads heavy, and would be very sorry to hurt any of his Indian Brethren."

A Large Belt.

"And Brethren:

"The Chiefs of the United Nations, with their Cousins, our Brethren, the Delawares, and others now here, jointly with me send this Belt, which has upon it two figures that represent all the English and all the Indians now present taking Hands and delivering it to Pisquitomen, and we desire it may be likewise sent to the Indians who are named at the End of these Messages,* as they have all been formerly our very good Friends and Allies, and we desire they will go from among the French to their own Towns, and no Longer help the French.

"Brethren on the Ohio:

"If you take the Belts we just now gave you, in which all here join, English and Indians, as we don't doubt you will, then by this Belt I make a Road for you, and invite you to come to Philadelphia to your first Old Council Fire, which was kindled when we first saw one another, which fire we will kindle up a gain and remove all disputes, and renew the Old and first Treaties of Friendship; This is a Clear and open Road for you; fear, therefore, nothing, and come to us with as many as can be of the Delawares, Shawanese, or of the Six Nation Indians; We will be glad to see You; we desire all Tribes and Nations of Indians who are in Alliance with you may come; As soon as we hear of your coming, of which you will give us timely Notice, we will lay up Provisions for you along the Road."

* Sastaghretsy, Anigh Kalichon, Atowayteany, Towigh Towighraano, Geghdageghroanno, Oyaghtanont, Sisaghroano.

A Large White Belt, with the Figure of a Man at Each End, and Streaks of Black, representing the Road from the Ohio to Philadelphia.

"Brethren:

The Six Nation and Delaware Chiefs join with me in those Belts which are tied together, to Signify our Union and Friendship for each other; with them we jointly take the Tomahawks out of your Heads and bury them under Ground.

"We Speak loud, so as you may hear us; you see we all stand together, joined Hand in Hand."

Two Belts tied together.

The Indian Chiefs being asked if it would not be proper to insert in the Message an Account of the Situation of our Army to the Westward, and to desire them to join the General against the French, they replied that they would by no means advise this Government so soon to press them to take up the Hatchet, because the Wounds were not yet healed, nor Peace made, which must be done first. They said further, that as the French had many Indians fighting for them, and they, by Intermarriages, were related to the Indians who sent the Messages, it could not be expected they would easily be perswaded to join the English, lest they should kill their own Flesh and Blood, adding, that the only proper Measure that could now be taken was to advise them to sit still and keep out of the Way, and this Advice they believed would be hearkened to.

Then they desired that at least two of our Inhabitants might accompany Pisquitomen and Thomas Hickman, the Two Messengers, to Ohio. The Six Nation Chiefs promised to send Two of their own People with them, and Teedyuscung said he would send one, if not two, Delawares.

At a private Conference with the Indians held at Easton, October the 21st, 1758.

PRESENT:

His Excellency, Governor BERNARD, and the Jersey Commissioners.

Thomas King, Chief of the Oneidoes.

Tagashata, Chief of the Senecas.

Tokaaio, Chief of the Cayugas.

Egohohowen, Chief of the Minisinks.

Nimham, Chief of the Wapings, with other Indians of the Several Nations.

George Croghan, Deputy to Sir William Johnson.

Andrew Montour, His Majesty's Interpreter to the United Nations.

Stephen Calvin, Interpreter of the Delaware and Minisink Languages.

His Excellency informed them that he met them to agree about the Price of the uncertain Claims of the Minisinks, Wapings, and other Indians, Claimants of Land in the northern parts of the Province of New Jersey, and desired that it might be considered, that they knew not what they sold, and he know not what he brought; therefore the Price ought not to be large.

That they might propose a Sum to him, or he would make an offer to them; or it should be left to their Uncles to consider a Price as would please them best.

The Mingoes, or Six United Nations, by Thomas King, said that the United Nations had no claims to the Lands of the Minisink, or others, their Nephews, on the East Side of Delaware, and should therefore leave the fixing a Price to them.

Then the Minisinks and Wapings withdrew to consult upon it; and being returned, Egohohowen, the Minisink Chief, said they would chuse the Governor should make an Offer, as they might perhaps demand too much.

His Excellency, having consulted the Commissioners, offered them Eight Hundred Spanish Dollars for their claim in New Jersy as an extraordinary Price.

The Minisinks said they should be glad of the Opinion of their Uncles in the Matter.

The Mingoes, or United Nations, by Thomas King, said that it was a fair and honourable Offer, and that if it were their own Case, they would chearfully accept of it; but as there were a great many Persons to share in the Purchase Money, they recommended it to his Excellency to add Two Hundred Dollars more; and if that was complied with, the Report of it would be carried to all the Nations' and would be a proof of the Affection and Generosity of their Brethren, the English, on this Occasion, and would be very agreeable to them.

His Excellency desired to know of the Minisinks, and other Indians, if they approved of the Proposal of their Uncles, and they informed him that they did.

The Governor, after Consulting the Commissioners, said it was more than he intended to give; but as the United Nations had given themselves the Trouble of being Mediators between them, he could not refuse their Recommendations, and was glad of the Opportunity he had of showing his regard to the United Nations, and his Benevolence to the Minisinks, and other Indians who had

resided in the Province where he presided, and therefore complied with their Request.

His Excellency then desired them to remember that this Consideration Money was to be in full for the Claims of all the Minisinks and Waping Indians, and all others who Claim any Lands in a Map, which was laid before them at the same Time, which included all the Lands from the Line between the Provinces of New York and New Jersey, and Down Hudson's river to the Mouth of Rariton; up the same to Laametang Falls on the North Branch of Rariton River; and thence on a Strait Line to Pacoqualin Mountain, where it joins on Delaware River; and thence up the Delaware to Cushyhink; and recommended it to them to have respect to this in the Division of the Consideration Money.

Then Tagashata, the Seneca Chief, arose, and addressing himself to the Minisink and other Indian Claimants, spoke as follows:

"My Nephews:

"I desire you will now give over all Thoughts of your Land, and that we may hear no more Complaints about it.

"Now You must remember the Friendship between you and your Brother, and transmit it to your Children, and make them acquainted with the actions of this Day. I recommend this to you, not from my Lips only, but from the Bottom of my Heart. I hope it will also make a deep impression in your Hearts.

"It seems as if your Grandfathers had not told you all of the Treaties they used to have with their Brethren, but carried them with them to the Grave. But we hope you will not do so, but carefully inform your Children of your Agreements. We have given you this Advice, and hope you will follow it. We also expect you will take Care of your Young Men, that they do no more Violence to their Brethren, the English."

Egohohowen then addressed himself to the Governor, and desired to be heard.

"Brother:

"We are now thoroughly satisfied, and we still retain a Friendship for our Brethren, the English, and we desire that if we should come into your Province to see our Old Friends, and should have Occasion for the Bark of a Tree to Cover a Cabbin, or a little Refreshment, that we should not be denied, but be treated as Brethren, and that your People may not look on the Wild Beasts of the Forests or Fish of the Waters as their sole property, but that we may be admitted to an equal Use of them."

The Governor answered, that as soon as he got home, he should issue a Proclamation, to Notify to the People of his Province that he had made Peace with them, and to order that, for the Future, they should be treated as Brethren, which he hoped would be done,

but desired that they would not go into those parts where they had lately committed Hostilities till the People's Passions were cooled, for he could not be answerable for his People's Behaviour whilst their Losses were fresh upon their Minds.

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On the 21st of October the Members of the Pennsylvania Council received a Message from Mr. Weiser, that the Chiefs of the United Nations were met in Council with their Nephews, the Delawares, at the House of Nicholas Skull, and that the Delaware had something to say to their Uncles, which they desired some of the Members of that Council, and Commissioners, should be Witnesses of and hear.

Messieurs Growdon, Chew, and Mifflin attended accordingly, with Messieurs Galloway, Fox, and Hughes, Commissioners, and Israel Pemberton, Isaac Zane, and some other Quakers, who were present at this particular Request of the Delawares.

PRESENT:

All the Six Nation Chiefs.

Teedyuscung.

Tapiscawen, alias Samuel Davis.

Nowallkeeka, or Four Steps.

Compass.

Awehela, alais James Davis.

Lappink.

Neccochoon, Munsey Chief.

Moses Tetamy.

Conrad Weiser, Andrew Montour, Isaac Still, Interpreters.

Teedyuscung, on Behalf of the Delawares, arose and spoke as follows:

"Uncles:—

"I desire you will hear me; We have gone so far at this Treaty, as to talk of Lands; I, therefore, thought proper to meet you here, to let you know that I have Consulted with all my Brethren, your Cousins, here present, about the Deed you, our Uncles, Signed to the Proprietaries of Pennsylvania, shewn to us Yesterday, for the Lands beyond the Kittocktinny Hills.

"We have seen the Deed, and know it well. Nutimus, one of our Chief Men, has signified it; and here sits one of our men, named Philip Compass, who was present when the sale was made; and remembers that Nutimus, our Chief, received Forty-four Dollars as his Part, or Share of the Consideration Money. We agree to it, and acknowledge that the Land was fairly Sold. We give it up, and now confirm it. Let there be no difference, nor any thing

more said about it. This is not the Land I have disputed with my Brethren, the English. That Land lies between Tohiccon Creek and the Kittochtinny Hills."

Gave a Belt.

Tokaaion, the Cayuga Chief, stood up and spoke as follows, addressing himself to Teedyuscung:

"Cousin:

"I thank you for your Openness and Honesty on this Occasion, freely to declare the Truth. We wish our Brethren, the English, naming the Governors of Pennsylvania, Virginia, Carolina, and Jersey, were so honest and precise.

"They have called us down to this Council Fire, which was kindled for Council Affairs, to renew Treaties of Friendship, and brighten the Chain of Friendship. But here we must hear a Dispute about Land, and our Time is taken up, but they don't come to the Chief point.

"The English first began to do Mischief; we told them so; They only thanked us for our Openness and Advice, and said they would take Care for the future, but healed no wounds. In short, when they speak to us, they do it with a Shorter Belt or String than that which we spoke to them with; tho' they can make Wampum, and we cannot.

"They ought not thus to treat with Indians on Council Affairs. Several of our Strong Belts are lost in their Hands intirely. I fear they only speak from their Mouth, and not from their Heart."

On the Same Day, P. M., Pisquitomen and Thomas Hickman, came to take their leave of the Governor, accompanied with Captain Bull, William Hayes, and Isaac Still, the Persons appointed to attend them to the Ohio, who were particularly recommended to their Care and Protection by a String of Wampum.

The Belts and Strings were numbered, as well in the written Paper containing the Message, as on Labels tied to each of them, and delivered to Pisquitomen, and the Written Message was delivered with the Passports, to Captain Bull.

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The 22d of October, the Six Nation Chiefs held a private Council, and named Two of their People to send to the Ohio, Viz: Tojenontawly, Cayuga Chief, and the youngest Shick Calamy, who joined Pisquitomen, and set off this afternoon. As they were setting out, Mr. Frederick Post arrived with news from General Forbes, that a Large Body of French and Indians having attacked his advanced Post at Loyal Hanning, were repulsed with great Loss on their Side, which news he Communicated to the Indians.

At noon the Governor being prepared for a Conference, proposed a meeting of the Indians, which they desired might be deferred till the Morning.

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October the 23d, 1758.

This Morning one of the Seneca Chiefs died; Condolence Ceremonies, and Presents being made as usual, he was decently interred, a Number of the Inhabitants attending the Funeral. This took up the Forenoon.

At a Conference with the Indians the same Day, P. M.

PRESENT:

The Governors, and the Gentlemen of their Councils, &c^a, as before.

The Minutes were read, and approved, to the End of the Publick Conference on Friday last, after which Governor Denny spoke:

"Brethren:

"By this Belt we heal your Wounds, we remove your Grief; we take the Hatchet out of your Heads; we make a deep hole in the Earth, and bury the Hatchet so low, that no Body shall be able to dig it up again."

A Belt.

"Brethren:

"Now we have healed your Wounds, we, by this Belt, renew all our Treaties; we brighten the Chain of Friendship; we return to our first Affection; we confirm our Antient Union; we put fresh Earth to the Roots of the Tree of Peace, that it may bear up against every Storm that can blow, and live and flourish to the End of Time, whilst the Sun Shines and the Rivers run. And we desire you would publish it among your own, and all other Indian Nations who are your Friends and Allies, and engage them to join with you in a firm Peace with his Majesty, and all his Subjects, in whose behalf I give you this Belt."

A Large Peace Belt.

"Brethren:

"We now open a Road to the Old Council Fire, which was kindled by you and our Fathers in the City of Philadelphia.

"Be assured that you will always find this Road open, easy, and pleasant to travel in, and for the future, whenever Occasion Calls, we shall be glad to see you there."

A Belt.

"Brethren of the United Nations, and all our other Brethren, your Cousins and Nephews:

"We thank you for the Care and Diligence with which you have attended to the several Matters recommended to you in these Conferences, which has yielded us Abundance of Satisfaction.

"This Treaty will convince all our Enemies that we are now united in the firmest Band of Amity, and whilst we join our Strength together, it will not be in their Power to hurt either you or us."

A Belt.

"Brethren:

"As a Token of the Love we, your Brethren of this Province, bear to you, I shall make a Present of a Quantity of Goods, which we have prepared for you, and desire your Acceptance of them; sensible of the approaching Season, and of the many Difficulties you live under from the Present War, We give it with an hearty good will."

Here his Honour delivered a List of the Goods, and desired Mr. Weiser and Mr. Montour would interpret it to them at a proper Time.

Invoice of Indian Goods brought to Easton.

3 Groce of narrow-starred Gartering.
4 Ditto of Broad Star.
2 Ditto of Middle Star.
4 Ditto of Narrow Scotch.
2 Ditto of Middle Turkey.
2 Ditto of broad Turkey.
4 Ditto of best Scotch.
5 Ditto of mixed figured.
2 Ditto of narrow Calimancoe.
2 Ditto of broad Calimancoe.
2 Ditto of spotted.
2 Ditto of Leaf.
1 Ditto of London lettered.
2 Ditto of Plad.
3 Ditto of middle Scarlet.
4 Ditto of broad Scarlet.
3 Ditto of Superfine.
2 Ditto of Boys' lettered.
2 Ditto of broad white Lettered.
2 Ditto of Couloured pidgeon.
2 Ditto of Camblet.
33 Painted Looking Glasses.
8 Pieces of Red Stroud.
4 Ditto.
14 Ditto of mazarine Blue.

1 Piece of mazarene Blue.
1 Ditto Black.
1 Ditto red and one blue.
2 Pieces of 6 qrs. blue Duffil.
2 Ditto of 7-8ths Ditto.
1 Nap Ditto.
1 Piece of stamped Serge.
1 Piece of red Half thicks.
1 Piece of Brown Half thicks.
2 Ditto of white Ditto.
1 Piece of blue broad Cloth.
5 Laced Coats.
8 Plain Ditto.
50 Pair of Shoes.
3 Dozen and one pair of Womens' worsted Stockings.
1 Ditto of yarn Ditto.
4 Pieces and 2 Bandanoe Handkerfs.
1 Ditto Lungee Romals.
1 Ditto Cotton Romals.
4 Ditto of Nonsopretties.
8 lb Coloured Thread.
3 Dozen and ten Worsted Caps.
2 Ditto of Knives.
1 Ditto of Tobacco Boxes.
1 Ditto of coarse Linnen Handkerfs.
4 Pieces of figured Gartering.
4 Ditto of blue and white flower'd Handkerchiefs.
3 Dozen and ten plain Hats.
2 Dozen of Tailors' Shears.
6 Gun Locks.
1 Bunch of black Beads.
3 Groce and an Half of Sleeve link Buttons.
4 Dozen of Ivory Combs.
1 Groce of Women's Thimbles.
100 Blankets.
160 Matchcoats.
246 Plain Shirts.
187 Ruffled Ditto.

"Brother Teedyuscung:

"By this Belt you put me in mind that we formerly referred our Dispute about Lands to our Father, King George, and you desire to know if he has decided it.

"Brother:

"You should Consider the Circumstances of the affairs of your Father, King George. His Majesty lives at a very great Distance from us; is now engaged in War with the French; and the Business

of War takes up a great deal of Time and Attention; besides in Time of War we have but few Opportunities of hearing from him.

"As yet I have had no answer relative to your Affairs. You may depend upon it as soon as I receive one it shall be communicated to you; And I can assure you the Proprietaries have pressed Dispatch, and will do every thing in their Power to bring it to a speedy Determination."

A Belt.

Then Governor Bernard, requesting the attention of the Indians, addressed them as follows:

"Brethren of the United Nations:

"By this String you spoke on Behalf of our Brethren, the Minisinks, & said that they were wronged in their Lands; that the English settled so fast that they continually were pushing them; and when they asked for their Lands they were told that they had sold their Lands, and had got drunk and forgot it. If they had swallowed their Lands they must be content; but they did not believe that they had swallowed all, but that some was left. They desired that I would enquire after their Lands that were left, and do them Justice.

"Brethren:

"I am glad I have an Opportunity, in the presence of so many Nations, to express the Desire I have of doing justice to every one. The Throne of the Great King is founded on Justice, and I should not be a faithful Servant to him if I neglected to give redress to all Persons that have received Injuries from the People over whom the King has placed me.

"I have therefore, had a Conference with the Minisinks, in the Presence of some of their Uncles, and have come to a full Agreement with them, the Proceedings of which are now ready to be read to you.

"Brethren:

"I have another Proofs to give you of the Uprightness and Justice of our Province; We have come to an Agreement with the Delaware Indians, and other Indians, for the uncertain Claims they had on the southern Parts of our Province, I hereby produce the Deeds that have been executed on this Occasion, that the Subject of them may be explained to you and be had in perpetual Remembrance by all the Nations present, and I desire that you may remember that, by these two Agreements the Province of New Jersey is intirely freed and discharged from all Indian Claims. In Confirmation of which I give you this Belt."

A Belt.

"Brother Teedyuscung:

"By this String you tell me, that after the killing the nine In-

dians near Esopus, you carried three Belts to George Freeland who undertook to give them to the Governor, and you ask what is become of those Belts.

"Brother:

"I can only say that I never heard of those Belts before, nor do I know what Governor George Freeland undertook to carry those Belts to; The Proper Governor was the Governor of New York, for in his Province was this Mischief committed; And probably the Governor of New York had these Belts, for I have heard that he Issued a Proclamation for apprehending the Perpetrators of this Fact. This Fact has been blamed by all good and wise men, and I am glad that it was not done by the People of my Province; I will acquaint the Governor of New York with what you have said upon this Occasion, and I will enquire after those Belts and give you an Answer."

A String.

Governor Denny being Obliged to return to Philadelphia on urgent Business, took his leave of the Indians.

"Brethren:

"It gives me great Pleasure that the Business of this Treaty has been carried on with so much Satisfaction.

"I am sorry I am now to inform you that I am obliged to leave you, having received last Night an Express from General Forbes, who is now near Ohio; My Business calls me to Town; I shall, therefore, leave Mr. Logan and Mr. Peters to transact the remainder of the Business, and doubt not but they will act to your Satisfaction.

"I assure you of my Affection for you, and wish you all manner of Happiness."

Teedyuscung arose, and desired to be heard on behalf of the Wapings or Wapinger Indians, called the River Indians, living near Esopus, and produced a Short, broad Belt of White Wampum, having in the Center two Hearts of a Reddish Colour, and in Figures, 1745, wrote after the following manner, 17 ∪ ∪ 45. The Belt had a round Circle Pendant, representing the Sun. He then produced two Certificates, one from Governor Clinton, and the other from Governor Hardy, both which were much in Favour of the Wapinger Tribe of Indians. He said the Belt was given them by the Government of New York, and represented their Union, which was to last as long as the Sun should continue in the Firmament.

Teedyuscung addressed Governor Bernard, desiring, by a String of Wampum, that he would extend his Protection to the Tribe of the Wapings, and as their Chief was old and infirm, he requested the favour of a Horse to carry him Home, which was readily granted.

Takeaghsado, or Tagashata, made the same request to Governor Denny, which was likewise granted.

The Six Nation Chiefs consulted together, and in a little Time Nichas, in their Behalf, returned an Answer to the Speeches of the Governers, laying the Belts and Strings upon the Table in ye order they were delivered, and repeating distinctly what was said on each of them. At the end of every Article he returned Thanks, and expressed the Highest Satisfaction, particularly on the ratifying the Peace, and the large Belt given thereupon, which he said should be sent to all the distant Nations, to whom it would be very agreeable. He likewise promised, that every thing transacted in these Conferences, which again he said had afforded him great Pleasure, should be laid before the great Council at Onondago, whose Answer should be carefully transmitted. He thanked the Governor, Bernard, for making up all Differences between the Government and the Minisink Indians so much to their Satisfaction. He made an Apology for the want of Wampum, and the Exchange of other Belts, to give in Confirmation of their Performance of the several Things mentioned in the Governor's Speeches, agreeable to Indian Customs; Then wished Governor Denny a good Journey.

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October the 24th, 1758.

Mr. Peters and Mr. Weiser, the Proprietary Agents, held a private Conference with the Chiefs of the United Nations at the House of Adam Johe, in Easton, at which were present:

William Logan, Esqr., of the Council.

George Croghan, Esqr., Deputy Agent to Sir William Johnson.

Charles Swain, Esqr., Prothonotary of Northampton.

Mr. Henry Montour, Interpreter, and Mr. John Watson, Surveyor in the County of Bucks.

And there were present the following Indians:

Kuriahtaaty, Chief of the Mohocks.

Seguehsonyont, Chief of the Oneidoes.

Nichaquantaqueah, Chief of the Tuscaroras.

Assaradungua, Chief of the Onondagoes.

Tagashata, Chief of the Senecas.

Tokaaio, Chief of the Cayugas.

Conniack, Chief of the Conoys.

Robert White, Chief of the Nanticokes.

Several other Indians.

Mr. Peters and Mr. Weiser, in Virtue of a Power of Attorney from the Proprietaries of Pennsylvania to them, under the great

Seal of the Said Province, having previously settled with the Indian Chiefs, the Limits of the Lands to be released by the said Proprietaries, and of the Lands to be confirmed by the United Nations, the Proprietaries' relase, and the Indians' Deed of Confirmation were read and interpreted; and the Indians expressing their Satisfaction at every part thereof, and particularly with the Limits, as described in the Draught annexed to their Confirmation Deed, they were both executed in the Presence of William Logan, George Croghan, Henry Montour, Charles Swaine, and John Watson, who subscribed their Names, as Witnesses thereto. A Belt was given to the Indians at the Delivery of the Release; and it was agreed that both Deeds should be produced at the next Pnblick Conference, in order to be acknowledged.

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On the 25th of October, the Indians were employed all Day in dividing the Presents among their Several Tribes.

At a Conference held at Easton with the Indians, October the 26th, 1758.

PRESENT:

His Excellency, Governor BERNARD.

William Logan,	George Croghan,	Esquires.
Richard Peters,	Conrad Weiser,	
Andrew Johnson,	Charles Swaine,	
Charles Read,	Major Orndt,	

John Stephens.

The Sheriff and his Officers.

Mr. John Watson.

The Chiefs of the United Nations, and of the other Nations of Indians, Moses Tetamy, and James Davis, and several other Delawares.

The Secretary having observed to the Six Nation Chiefs, that the Governors were charged by Tokaaio, with having omitted some things in their Answers, and desired to know what they were; Thomas King said they were afterwards supplied, and recommended some things to be more particularly mentioned than they had been; and agreeable to this Advice the following Speech was spoke by the Members of the Pennsylvania Council:

"Brethren:

"As we have settled all Difficulties, and Confirmed the Antient Leagus of Amity, and brightened the Chain of Friendship, we now clean the Blood off your Council Seats, and put them in order, that

when you hold Councils at Home, you may sit as you formerly used to do in your Seats, with the same Peace and Tranquility."

A String consisting of one Thousand grains of Wampum.

"Brethren:

"With this String of Wampum we condole with you for the loss of your Wise Men, and for the Warriors that have been killed these troublesome times, and likewise for your Women and Children; and we cover their Graves decently, agreeable to the Custom of your Forefathers."

A String of one Thousand Grains of Wampum.

"Brethren:

"We disperse the dark Clouds that have hung over our Heads during these Troubles, that we may see the Sun Clear, and Look on each other with the Chearfulness our Forefathers did."

A String of One Thousand Grains of Wampum.

Mr. Peters and Mr. Weiser produced the Confirmation Deed, executed by the Chiefs of the United Nations, as before set forth, which the Indian Chiefs acknowledged to have been their voluntary Act and Deed, and that they clearly understood the Contents thereof, together with the Limits described in the Draught annexed to it, and the same being handed from Indian to Indian, it was re-delivered to the Proprietaries' Agents.

After which the Indian Chiefs produced the proprietary Deed of release executed by Mr. Peters and Mr. Weiser, the Proprietary Agents, who acknowledged it to be their Act and Deed, in Behalf of their Constituents, and re-delivered it to the Indians, together with the Belt.

His Excellency, Governor Bernard, produced the following Deeds: one executed by five Indian Attorneys, appointed by a Council of the Delaware Nation, for all the Lands lying in New Jersey, South of a Line from Paoqualin Mountain, at Delaware River, to the Falls of Laometung, on the North Branch of Rariton River, and down that River to Sandy Hook, dated the 12th of September last, with Endorsements thereon, made by Teedyuscung, Anawalleckon, and Tepascouon, signifying their Agreement thereto, and acknowledgement of their having received Satisfaction thereon, witnessed by three chiefs of the United Nations, who, in Behalf of the United Nations, approved the Sale, and also by several English Witnesses.

Another Deed, dated the 23d of October Instant, at Easton, from the Chiefs of the Munseys and Wapings, or Pumptons, Sixteen in Number, and included all the remaining Lands in New Jersey, beginning at Cushetung, and down the Division Line between New Jersey and New York to the Mouth of Tappon Creek, at the North or Hudson's River, and down the same to Sandy Hook, then to the Mouth of Rariton, then up that River to Laometung Falls, then on

a Strait Line to Pasqualin, where it joins on Delaware River, and up Delaware to Clishetung, endorsed by Nimham, a Chief of the Pumptons or Wapings, who was sick at the Execution thereof, and approved by the United Nations, which was testified by three of their Chiefs signing as Witnesses, and Governor Bernard desired all present might take Notice of the Same, The Indian Title to all the Lands in the Province of New Jersey being conveyed thereby; which being interpreted in the Six Nation and Delaware Languages, His Excellency addressed the Indians as follows:

"Brethren:

"I am very glad this good Work has been so happily finished. I came among you wholly unacquainted with your Farms, and therefore if I have omitted any Ceremonial, you will readily excuse me. But in whatever I have been deficient, I am sure I have not wanted a good Heart towards you.

"The Circumstances of our Province have hitherto rendered us unable to give you any great Proofs of our Regard for you; but I shall endeavour to perswade my people to do you good Service for the Future by openning a Communication with you, which, if rightly managed, will be much to the Advantage of both people; And, for my own part, I shall be always ready to do you Justice, and desire that whenever you have cause of Complaint against my People, you will take care to Signify it to me."

A String.

The five Nation Chiefs have laid all the Belts and Strings on the Table that were delivered at this and the last Conference. The Cayuga Chief, Tokaaio, desired the Governors and all present would hearken to what Thomas King was going to say on Behalf of the United Nations (now Eight in Numbers); on which Thomas King arose, and taking up the first Belt, which was given by Teedyuscung when he requested a Deed for the Wyoming Lands, he addressed the Delawares, Teedyuscung not being present, as follows:

"Cousins:

"By this Belt Teedyuscung desired us to make you the Owners of the Lands at Wioming, Shamokin, and other places on the Susquehannah River; in answer to which we, who are present, say that we have no power to convey Lands to any one, but we will take your Request to the great Council Fire for their Sentiments, as we never convey or sell Lands before it be agreed in the great Council of the United Nations. In the mean time you may make use of those Lands in Conjunction with our People, and all the rest of our Relations, the Indians of the different Nations in our alliance;" which being interpreted in Delaware, the String of Wampum was given to Moses Tetamy and James Davis to be delivered to Teedyuscung, as he was not present.

Then taking up each Belt and string, in the order it was delivered in this and the last Conference, he proceeded to repeat distinctly what had been said under each Article, returning Thanks for all those good Speeches, which he said were extremely agreeable. He made particular mention of the Large Peace Belt, saying "that the Nations were vastly pleased that all the Antient Treaties made there, at Albany, and elsewhere, where renewed, as well as that the Old Council Fire at Philadelphia was kindled again, and a good Road made to it, that might be travelled without Danger; these in Particular, as well as every other matter transacted at these Conferences, we will make known to our own Nations, and to every other in Friendship and Alliance with us; and we are sure they will be very well received."

"Then addressing Governor Bernard, they thanked him for his farewell Speech, saying it was a very kind one, and that they were very glad at his having been present and given his assistance at this Treaty, which had given them an Opportunity of gaining an acquaintance with him, which they would ever remember with Pleasure. After a Pause, he desired to be excused in mentioning something that had been omitted by the Governors and their Councils. You have forgot to bring your ammunition, of which we always used to receive a sufficient Quantity, not only to serve us in our Journey, but Support us in our Hunting Season, that we might be enabled to make provision for our Families; You have given us Gun locks without Guns, which are of no manner of use to us, and therefore, this must surely have been forgot, as it is impossible for Indians to Subsist without Guns, Powder, and Lead, of which we received none.

"Brethren:

"As many of us are old and infirm, we desire our Brethren will be so good as to furnish us with a Number of Waggons to carry such of us as are not able to walk with the Goods you have been pleased to give us, as far as Wioming, where we have left our Canoes, and then we will discharge the Waggons. We further desire a Supply of Provisions may be put into Waggons enough to serve us till we get to our respective Habitations.

"He then took up the Proprietary Release, and returned Thanks for it. He said that when the United Nations first made the Request to Sir William Johnson to be transmitted to Onas, they had no doubt; but Onas would comply with it, having always found him ready to grant all their Requests; with him we have never had any Difference, he has always settled our Affairs without giving us any Trouble, and to our Satisfaction; We heartily thank Onas; This act confirms us in the good Opinion we have always had of him."

Then addressing himself to the Delawares, with a String of Wampum, he spoke as follows:

"This serves to put Teedyuscung in mind of his Promises, to

return the Prisoners; Remember Cousin, you have made this Promise in our Presence; you did it indeed before, and you ought to have performed it, it is a shame for one who calls himself a great Man to tell Lies; Let us, as Counsellors, perform our Engagements and Promises; Cousin, you must not now fail to perform your Word; we are all one People, and we must all of us be punctual in the performance of our Engagements." This was interpreted in the Delaware Language, and the String was given to Moses Tetamy for Teedyuscung. He then said the united Nations had finished what they had to say.

Looking round the Room, he espied Mr. Vernon, the Person who had the Care of furnishing the Indians with Provisions, and he desired that, now Council Business was over, he might be ordered to take the Lock off the Rum, and let it run freely, that, as they were going away, their Hearts might be made glad, and we could very well spare it, as it was of no use to us.

Some Wine and Punch was then ordered in, and the Conferences were concluded with great Joy and mutual Satisfaction.

At a Council held at Philadelphia, Wednesday the 25th of October, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
William Logan,	Joseph Turner,	
Lynford Lardner,	Benjamin Chew,	
John Mifflin,	Thomas Cadwalader,	

The returns of the Sheriffs and Coroners, for the Counties of Philadelphia, Bucks, Chester, Lancaster, York, Cumberland, Berks, and Northampton, and the three Lower Counties of Newcastle, Kent, and Sussex, were read, and the following Persons Commissionated.

[Omitted in Council Book.]

Mr. Frederick Post who had been sent by General Forbes, and by the Governor, among the Indians on the Ohio, to gain Intelligence, being returned, waited on his Honour, and presented him with a Copy of his Journal, which was read in Council, and the same was ordered to be lodged among the Council Papers.

At a Council held at Philadelphia, Monday the 6th of November, 1758.

PRESENT :

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell,	Lynford Lardner,	Esquires.
Richard Peters,	Thomas Cadwalader,	
John Mifflin,		

A Letter from General Forbes, dated the 22d of October, was read in these words :

"RAYSTOWN CAMP, October 22d, 1758.

"Sir :

"The Heavy Rains that have fallen of late has rendered the Roads almost Impassable for Carriages; these few Days past of dry Weather have given things a more favourable Aspect, and every thing is in Motion, the last Division being to March from hence to-morrow.

"My State of Health continues precarious, but not so bad as to occasion any stop to our Operations, which must now come to a speedy Conclusion on account of the Advanced Season of the year.

"Whatever the Fate of the Army may be it is impossible to foresee, but whether we are successful or not it is necessary for me to leave as large and extensive a Barrier as possible to cover the Province of Pennsylvania.

"The Number of the King's Troops that I have under my Command does not exceed Twelve Hundred Men, the greatest part of which I must send down to the Inhabited Parts of the Country to recruit and fit themselves out for the unsuing Campaign; for were I to leave the whole during the Winter in the uninhabited parts of the Country, these Corps would not be in a Condition to march on Service early in the Spring.

"I shall lay before you the Posts that are proposed to be kept up, which are now in possession of us, leaving it to you and the Assembly of your Province to judge of their Importance to them, and to know how far they can contribute in Men and Expences for the Supporting of these Posts, and making the Soldiers' Lives comfortable, without which no real Service can be expected from them.

"I have received no Answer from you relating to Fort Duquesne, if it should please God to grant Success; but whether that Fort is taken or not, the Forts of Loyal Hannon, Cumberland, Raystown, Juniata, Littleton, Loudoun, Frederick, Shippensburgh, and Carlisle, ought to be Garrisoned, beside those on the other Side of the Susquehannah. I have wrote to Mr. Fouquiere to know what assistance I may have from the Colony of Virginia, which I do not expect will

be very great, not even to Garrison Fort Cumberland, their Frontiers are so extensive that Augusta County will require Two Hundred Men to Garrison its Forts; Winchester, with the south Branch of Potomack, Three Hundred Men more, to which Colonel Washington's Regiment will not amount at the End of the Campaign. I have nothing to expect from Maryland, as I am told they have abandoned Fort Cumberland and Fort Frederick.

"It will easily occur to you the Things that will be necessary for making the Soldiers' Lives Comfortable in this severe Climate during the Winter. The most necessary are, a second Blanket in lieu of a bed, a Flannel Jacket, a new pair of Breeches, two Pair of Stockings, and a pair of Shoes.

"I should be glad to know, without Loss of Time, how far your Assembly will go in putting it in my power to maintain the Ground that is Gained. If they do nothing for the Safety of the Province, I am certain it is not in my Power to defend them during the Winter with the strength that I shall have left and which I must expect will daily diminish.

"To Cover the Country between Susquehannah and Potomack, and to secure the Communication to the advanced Posts will require, in my Opinion, Twelve Hundred Men, stationed in the following manner, Viz$^{t.}$:

"At Loyal Hannon - - - - - -	300
"At Ray's Town - - - - - - -	200
"At Fort Cumberland - - - - - -	200
"At Fort Frederick - - - - - -	100
"At Juniata - - - - - - -	100
"At Littleton - - - - - - -	100
"At Loudoun - - - - - - -	100
"At Shippensburg and Carlisle - - -	100
	"1,200 Men.

"I must intreat you to return me an Answer to this Letter as soon as possible, as it is a Matter of the greatest Consequence to the Colonies.

"I am, with the greatest Regard, Sir,

"Your most Obedient and Hum$^{e.}$ Servant,

"JOHN FORBES."

The Council unanimously advised the Governor to call the Assembly together by Summons to meet on Wednesday the fifteenth Instant; and the Secretary was directed to prepare Writs for that Purpose.

The Governor likewise directed the Secretary to order the Paymaster to prepare an Estimate of the Arrears that would be due to the Provincial Troops on the first of January next.

The Minutes of the Indian Treaty lately held at Easton were produced and ordered to be printed Time enough to have a Copy laid before the Assembly at the Meeting.

At a Council held at Philadelphia, Thursday the 16th of November, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Benjamin Shoemaker, Richard Peters, Lynford Lardner, John Mifflin, } Esquires.

The Governor acquainted the Council that two Members delivered him last Night a Message that the House was met agreeable to the Governor's Summons and desired a sight of one of the Summons's which the Governor promised to send this Morning; and the Secretary was accordingly sent with one to the House.

"Then was read the Governor's Speech to the House, which was approved; and the Paymaster having delivered to the Governor an Estimate of pay, which will become due to the Provincial Forces by the First Day of January, 1759, the same was likewise read, and ordered to be entered as follows:

"*Estimate of Pay that will become due to the Provincial Forces by the First Day of January*, 1759, *as by their last Pay Rolls, vizt.:*

"To Twenty-Five Old Companies, from the First of October, 1758, to the First of January, 1759, exclusive of Draughts in the Light Horse, and about Seventy Men at Fort Augusta,	£9,115 0 0
"To two Troops of Light Horse Men, from the First of October, 1758, to the First of January, 1759,	889 0 0
"To a Detachment at Fort Augusta of the Old Companies, about Seventy Men, from the First of June, 1758, to the First of January, 1759,	1,660 0 0
"To Twenty-Three Companies new Levies, Vizt: Eleven Companies from the first of September, Seven Companies from the first of August, and five Companies from the several Dates of their respective in listments, after a Deduction of Seven Pounds advance Money ℔ Man, and three Months Pay to the Officers, there will remain due to them by the first Day of January, 1759,	14,000 0 0
"To staff Officers from the first of October, 1758, to the first of January, 1759,	358 0 0
	£26,022 0 0

"N. B.—The Calculation for the new Levies not to be depended on as exact, but as nearly so as I could possibly make it, they having not been all paid up to one Day, nor the Seven Pounds advance; advance Money all deducted; that depending on the several Dates of their Enlistments.

"JAMES YOUNG, Paymaster."

The Governor received a Message by seven Members, that the House had met on the Fourteenth of October, and chose a Speaker, and had afterwards adjourned on Account of the Governor's being then at Easton, and now desired to know when and where they might present their Speaker; His Honour was pleased to say that he could be in the Council Chamber at Twelve o'Clock, and they might present their Speaker to him there. Accordingly, the Governor and Council repaired to the Council Chamber, and Isaac Norris being presented as the Speaker elected, he was approved, and proceeded to request the usual Privileges, the Governor having declared they were the Rights of Assembly. His Honour then made the following Speech, which was ordered to be entered in these words:

"Mr. Speaker, and Gentlemen of the Assembly:

"I have ordered the Secretary to lay before you a Letter I lately received from General Forbes, the Importance of which will, I am perswaded, convince you of the Necessity I was under to convene the House on the Occasion.

"The advanced Season and late heavy Rains render it doubtful whether the General will be able to accomplish the Reduction of Fort Duquesne this Campaign. His Zeal and personal Bravery will, I doubt not, induce him to attempt every wise and prudent Measure practicable to make an Acquisition that will be attended with so many Advantages to His Majesty and his Colonies. It will, however, at all Events, be absolutely necessary for him to maintain this Winter the advanced Post he has possessed himself of, fortified, whereby he will be in a Condition not only to make an Attempt very early in the Spring, but will be the better enabled in the mean time to cover and protect this and the neighbouring Provinces from the cruel Incursions and Ravages of the Enemy. To these Ends his Letter will inform you the General expects to be supplied with Twelve Hundred Men and Necessaries for their comfortable Support during the Winter, and that he desires to know, without Loss of Time, how far the Assembly of this Province will Contribute towards furnishing him with those Aids. I must, therefore, press you to take this Matter into your immediate Consideration, and give me your answer, that I may have it in my Power to communicate your Resolutions to the General with that Dispatch the Severity of the Season and his critical Situation require.

"But if General Forbes should be fortunate enough to take Fort

Duquesne, I think it will be for the Interest of this Province to Garrison that Fortress with our Provincials, as thereby we may have an opportunity of Establishing a Trade and a lasting Friendship with the Indians, without which, it is much to be feared, the French and their Emissaries will still maintain such an Influence over the Warriors of the Several Nations as to excite them to renew their Barbarities against the unhappy People on the Frontiers.

"I must also inform you that the Provincial Commissioners have reported to me that the last Sum granted to His Majesty by the Legislature of this Province is near exhausted, and that Considerable arrears are due to the Forces, as you will see by the Paymaster's Estimate, now laid before you. I do not doubt, therefore, you will, in the most Speedy and Effectual manner, raise the Supplies necessary for this Service.

"I have the Pleasure to acquaint you that at the late Treaty at Easton there was a numerous appearance of Indians, consisting of Deputies from the Six Nations and other Tribes, a general Peace was concluded, and I flatter myself every thing done on my part to their Satisfaction. They solemnly promise, immediately on their return, to restore to us all the Captives they have taken from us, and, from their Candour and Openness during the Course of the Treaty, the Concern and Sorrow they repeatedly expressed for the Mischief done by their foolish young Men, who were seduced and misled by the French, the many professions of Friendship and Love for their Antient Brethren, the English, we have the greatest Reason to believe them once more sincerely attached to the British Nation. I have also prevailed with them to exert their influence with the Indians in the French Interest settled on the Ohio to withdraw themselves from our Enemies and return to their Former Friendship with us, and have joined with them in sending proper Messages on the Occasion, which I hope will be attended with Success. I have ordered the Minutes of the Several Transactions to be laid before you, and hope my Conduct therein will meet with your Approbation.

"November the 16th, 1758."

The Secretary delivered to the Speaker the foregoing Letter from General Forbes, the Paymaster's Estimate, and the printed minutes of the Conferences lately held at Easton.

At a Council held at Philadelphia, Saturday the 2d of December, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor.

Robert Strettell,
Richard Peters,
Benjamin Chew,
} Esquires.

The Governor acquainted the Council, that on Wednesday the Twenty-Second of last Month Two Members delivered him a Message in answer to his Speech, which was read in these Words:

"May it please your Honour:

"We have carefully weighed your Speech, recommending to our Consideration General Forbes' Demands of this Province, and we apprehend, was he sufficiently acquainted with the Circumstances and Abilities of the People of this Young Colony, the large Aids they have already granted on many Occasions to the Crown, and the Load of Debt they now labour under by means thereof, he could not reasonably expect them to bear the additional Burthen of defraying the extraordinary expence that must attend the Supporting of Garrisons in Forts, and at Posts so very distant from the inhabited Parts of the Province as many of those are mentioned in his Letter to your Honour, which, as we are well informed, are usually Garrisoned by the King's Troops in other Colonies. However, we are so well acquainted with the Circumstances of the People we represent, that we are of Opinion a Burthen of that Sort, added to the Sum they now owe, would be too heavy for them to bear.

"Your Honour will further be pleased to Consider the great Inconveniency which must attend the raising Supplies at this unusual season of the Year, before we have received the least Intimation of the Measures His Majesty shall be pleased to concert for the common safety and Protection of the Colonies, or can form any Idea of the part it will be necessary for this Province to take therein. It is now not more than Seven Months since the last Aids were granted to the Crown, and a very heavy additional Tax imposed on the People, from an expectation that, by one vigorous Effort of this and our Neighbouring Colonies, His Majesty's General in this District, would have been enabled to strike a decisive Blow, which would relieve them from the like Grievous Burthen for the future; And should we, at this Juncture, grant further Supplies, and impose further Taxes upon our Constituents, in all probability when we shall be made acquainted with His Majesty's intended Operations in the next Campaign, more Aids may be demanded, and will then become more necessary.

"We are, therefore, induced to postpone the raising of Supplies until our next meeting, when we expect we shall have an Opportu-

nity of taking into our Consideration, as well the Aids necessary to pay off the arrears due to the Forces, as to defray the Expences of the ensuing Year.

"Signed by order of the House.

"ISAAC NORRIS, Speaker."

A Bill Intituled "A Supplement to the Act intituled 'An Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessels, and also certain Duties upon Wine, Rum, and Brandy, and other Spirits, and a Duty upon Sugar, for the Supporting and maintaining the Provincial Ship of War, for protecting the Trade of this Province, and other Purposes for His Majesty's Service,'" was delivered to the Governor last Thursday Night for his Concurrence, and was read over Twice and amended only in one Place, Viz^{t}: After the word Act, in Page 19, Line 15, insert the Words [Law, usage, and Custom].

Mr. Chew acquainted the Governor that as he was coming to Council several reputable Merchants of the City informed him that they thought the Bill for granting a Duty on Tonnage, &$^{ca.}$, a great grievance, and were preparing Petition to the Governor, praying that his Honour would not give his assent to the Bill till their Reasons against it were first heard. On this Information, Mr. Chew and Mr. Peters were desired to inform themselves of this Matter, and if it should be found that many considerable Merchants requested this by Petition, the Bill should then be kept under Consideration; if not, that then the Secretary should carry the Bill to the House, with a Message that his Honour would pass it upon the foregoing amendment being allowed.

A Petition, signed by Twenty-Four considerable Merchants, was presented to the Governor, and thereupon the Secretary was sent to the House with a verbal Message that many reputable Merchants of the City having presented a Petition to his Honour against the Bill before him, he has the said Petition now under his Consideration.

Upon which Message, Two Members waited on the Governor from the House to acquaint him that the House met again in the Afternoon, and proposed to adjourn to the Fifth of February next, and desired to know the Governor's Resolution on the Bill before him, to which his Honour answered that he would give it all the Dispatch in his Power, having the Bill much at Heart, as a Bill very much concerning the Publick, and that he wanted to hear what the Merchants had to say against it.

At a Council held at Philadelphia, Tuesday the 5th of December, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	Richard Peters,	
Lynford Lardner,	Benjamin Chew,	
John Mifflin,	Thomas Cadwalader,	

The Merchants who presented their Petition last Saturday having desired the Governor would be pleased to appoint a Time for hearing their Objections against the Tonnage Bill, Twelve o'Clock this Day was appointed, and the Council being convened on this Occasion, Two Petitions of the same Tenor, signed by a great Number of Merchants of this City, were read.

Then Mr. Samuel Mifflin, Mr. William Cox, Mr. John McMichael, and Mr. Edwin Shippen, Junior, appeared and acquainted the Governor that they were appointed a Committee by the Merchants to offer their Reasons in Objections to the Bill, and having reduced them to writing, the paper was presented by Mr. Shippen to the Governor and read.

The Governor was pleased to assure the Merchants that he was & always would be disposed to encourage the Trading Interest, and support it on all Occasions, and would immediately Consider the Reasons they had offered against the Bill.

Then the Bill was read; and it was agreed, after Considering the Objections of the Merchants thereto, that a proper Message should be drawn and sent to the House with the Bill and Petitions of the Merchants.

—

MEMORANDUM:

In the evening, Two Members waited on the Governor from the House to know if his Honour had come to any determination on the Bill before him; to which his Honour was pleased to say that the House should receive a Message from him in the Morning.

And accordingly, on the Sixth, the Secretary delivered to the House the Bill Intituled "A Supplement to the Act intituled 'An Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessels, and also certain Duties upon Wine, Rum, Brandy, and other Spirits, and a duty upon Sugar for supporting and maintaining a Provincial Ship of War for protecting the Trade of this Province and other Purposes for his Majesty's Service,'" with Two Petitions

to his Honour from a Number of Merchants of the City, a paper referred to therein, and a Message in these Words:

"Gentlemen:

"I have ordered the Secretary to lay before you a Petition, presented to me by a great Number of the Merchants of this City, remonstrating against the Bill intituled 'A Supplement to the Act intituled 'An Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessels, and also certain Duties upon Wine, Rum, Brandy, and other Spirits, and a Duty upon Sugar, for supporting and Maintaining the Provincial Ship of War for Protecting the Trade of this Province and other Purposes for his Majesty's Service,'' as very injurious to the Trade of this Province in general, and partial and unequal in the mode of raising the Tax imposed for the Support of the Province Ship of War. I must acknowledge that many of the Reasons assigned by them appear to me of great Weight; and as a matter of this Importance, in which the well being of this Colony is so nearly concerned, cannot be too well deliberated upon, I return you the Bill, and desire you will take it again into your Serious Consideration, together with the Petition now laid before you. For my own Part, I assure you it will give me great Pleasure to contribute every thing I can towards the Protiction of the Trade of this Province, and you shall always find me ready to concur with you in such means of doing it as you who are better accquainted with the Circumstances of your Constituents shall, on reconsidering the Matter, judge most equal and impartial.

"WILLIAM DENNY.

"December the 6th, 1758."

At a Council held at Philadelphia, Monday the 11th of December, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

Robert Strettell,	Joseph Turner,	Esquires.
Benjamin Shoemaker,	Lynford Lardner,	
Richard Peters,	Thomas Cadwalader,	
John Mifflin,		

The Governor having received by Express a Letter from General Forbes, the same was read in these Words:

"FORT DUQUESNE, or now Pittsburg, the 26 Novr 1758.

"Sir:

"I have the Pleasure and Honour of Acquainting you with the Signal Success of his Majesty's Troops over all his Enemys on

the Ohio, by having obliged them to Burn and abandon their Fort, Duquesne, which they effectuated upon the 24th Instant, And of which I took Possession with my little Army the next Day,—The Enemy having made their escape down the River, part in Boats and part by Land, to their Forts, and Settlements on the Mississippi being abandoned, or at least not seconded by their Friends, the Indians, whom we had previously engaged to act a neutral part, And who now seem all willing and ready to Embrace His Majesty's Most gracious Protection.

"So give me leave to congratulate you upon this publick event of having totally expelled the French from this Fort and this prodigious tract of Country, and of having in a manner reconciled the various Tribes of Indians inhabiting it to His Majesty's Government.

"I have not time to give you a detail of our proceedings and approaches towards the Enemy, or of the Hardships and Difficulties that we necessarily met with; all that will soon come out, but I assure you, after receiving the Ground & Fort, I have great reason to be most thankful for the part that the French have acted.

"As the Conquest of this Country is of the greatest Consequence to the adjacent Provinces, by securing the Indians, our real Friends, for their own Advantage, I have therefore sent for their Head People to come to me, when I think in few Words and few Days to make every thing easy; I shall then set out to kiss your Hands, if I have Strength enough left to carry me through the Journey.

"I shall be obliged to leave about Two Hundred Men of your Provincial Troops to join a proportion of Virginia and Marylanders, in order to protect this Country during Winter, by which Time I hope the Provinces will be so sensible of the great Benefit of this new Acquisition, as to enable me to fix this noble, fine Country, to all Perpetuity, under the Dominion of Great Britain.

"I beg the Barracks may be put in good repair, and proper Lodging for the Officers, and that you will send me, with the greatest Dispatch, your Opinion how I am to dispose of the rest of your Provincial Troops for the ease and Convenience of the Province and the Inhabitants.

"You must also remember that Colonel Montgomery's Battalion of Thirteen Hundred Men, and Four Companies of Royal Americans, are, after so long and tedious a Campaign, to be taken care of in some Comfortable Winter Quarters.

"I kiss all your Hands, and flatter myself that if I get to Philadelphia, under your Cares and good Companys, I shall yet run a good Chance of re-establishing a Health that I run the risque of

ruining to give your Province all the Satisfaction in the Power of my weak Abilities.

"I am, Sir, with great Esteem and regard,

"Your most Obedient and Humᵉ. Servant,

"JO. FORBES.

"P. S.—I must beg that you will recommend to your Assembly the building of a Block House and Saw Mill upon the Kisskaminities, near Loyal Hannon, as a thing of the utmost Consequence to their Province, if they have any intention of profiting by this Acquisition.

"I send the New Levies to Carlisle, so beg you will loose no Time in sending up Mr. Young, the Commissary, to clear them."

Then was read a Letter from Colonal Burd in these Words:

"CAMP AT LOYAL HANNON, the 2nd of December, 1758.

"Sir:

"I have the pleasure to inform you that on Friday last, our Army being within Ten Miles of Fort Duquesne, the Enemy thought proper to blow up the Fort, and went off Bodily in their Battoes. They intirely destroyed the Works and rendered every thing useless.

"I shall be glad to receive your Instructions concerning the Recruiting my Battalion. I shall march down myself with the General and Colonal Bouquet, and should be glad to hear from you upon my March that I might give the necessary orders; and beg that you will believe me with great Esteem,

"Your Honour's most Obedient & most Humᵇˡᵉ. Servant,

"JAMES BURD."

The Council was of Opinion that the General's Letter contained such important Requests as made it necessary for the Governor to call the Assembly, who had adjourned to the Fifth of February; and the Secretary was accordingly directed to issue Summons's for their meeting on the Twentieth Instant.

The Commissioners appointed by the Act for preventing abuses in the Indian Trade, &ᶜᵃ., recommended Robert Tuckness, Abel Janny, and Benedict Dorsey as Suitable Persons for Agents at Fort Allen. The first named Robert Tuckness was unanimously approved.

A Letter from Don Francisco Caeriejas, Governor of Monto Cristo, dated the First of October, was read in these words:

"Sir:

"As Two Privateers from your Honour's Government, the One named the Spry, a Ship, Captain Spring, and the other a Schooner

named the Knowles, Captain Turner, have had the Boldness, in Contempt of the Spanish Flag, to carry off a Snow from this Port named the Prussian Heroe, John Campbell, Master, whilst she was at Anchor, and consequently under the Protection of this Government; and as I have continually in my Government a Considerable Number of English Vessels, which the French, our near Neighbours, may come and carry off, encouraged by these Examples, I thought it necessary to advise your Honour of this Proceeding, requesting at the same Time you would be pleased to compel the above-named Privateers to restore the said Snow, as it is not permitted any Privateers to search and examine into what passes in Spanish Harbours, especially considering the good Harmony and Correspondence which subsists between the two Crowns, and that your Honour would be pleased to Command the Captains of Privateers of your Government not to meddle with Traders in this Port, and to confine themselves to those they met with at Sea, where they have a Right. I hope your Honour will consider the Contents of this my Letter, and be pleased to give Orders agreeable to my request, otherwise these Practical Proceedings are capable of breaking that good Harmony and Union which at present Subsists. I offer myself to the Disposition of your Honour; you may command me and be assured of my Obedience.

"I kiss your Hands, and am your Honour's most affectionate Humble Servant,

"DON FRANCISCO CARILJAS.

"St. Ferdinand of Monto Cristo, the 1st of October, 1758."

The Secretary was directed to deliver a Copy of the said Letter to the Owners of the Spry, and of the Knowles, Privateers, in order that they might be able to draw up a state of the Case to be considered by the Governor.

It being the unanimous opinion of the Governor and Council, that a Day should be appointed for a general Thanksgiving, it was recommended to the Secretary to prepare a Draught of a Proclamation, which was done and approved, and the Twenty-Eighth Instant fixed for the Day.

Ordered, That there be printed One hundred and fifty of the Proclamations, and that the same be dispersed among the Ministers of all Perswasions, English and Germans.

At a Council held at Philadelphia, Thursday the 21st of December, 1758.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Richard Peters,
John Mifflin,
Thomas Cadwalader, } Esquires.

General Forbes' Letter of the 20th of November was again read, and a Letter from General Amherst, in these words :

"NEW YORK, December the 13th, 1758.

"Sir:

"The King having been pleased to appoint me Commander-in-Chief of all his Majesty's Forces in North America, and having at the same time signified to me his Royal Pleasure, that I should Correspond with and apply to all his Governors on the Continent for their Aid and Assistance in carrying on the Services pointed out to me, I am, in Obedience to those Commands, to acquaint you, that altho' I have not yet any particular Orders relative to the Operations of the Ensuing Campaign, I imagine they will require the same Number of Provincial Troops that were voted by the respective Provinces and Colonies this year; and it will likewise be necessary, in order to carry those Operations the more effectually into Execution, that those Troops should be at the place of Rendezvous as early in the Spring as possible; I would therefore recommend it to you, if the Troops raised by your Province for the Service of the last Campaign are not already disbanded, that you would move your Assembly to continue them in their Pay during the Winter, which will not only be a great Saving in Point of Time, but, by what I can understand, a great Saving of Expence to the Province; Wherefore, I should hope you will the more easily succeed in your Application. But if it should so happen, that before the receipt of this Letter, those Troops had already been disbanded, in that case, I must desire that you will lose no Time in using your Influence with your Assembly, to move them to order New Levies, and to cause these to be provided with the Usual Necessaries, and to be ready by the Time the Season will admit their taking the Field.

"Having also received His Majesty's Orders to recruit and compleat the Regiments now serving on the Continent, I am likewise to beg your Countenance and Protection to the Officers I shall have Occasion to send, as well as to those that have already been sent by my Predecessor on that Service; and that you will be aiding and Assisting unto them in the execution thereof.

"I am, with great Regard, Sir,
"Your most Obed$^{t.}$ Hum$^{e.}$ Servant,
"JEFF. AMHERST,"

The Draught of a Message to the Assembly on the said Letters was read and approved, and ordered to be wrote fair.

Last Night Two Members waited on the Governor, to acquaint him that the House were met agreeable to his Summons, and requested his Honour would be pleased to furnish the House with a Copy of the Writt by which they were called. And the Secretary was directed to carry to the House, the following Message, the Letters from General Forbes and General Amherst, with one of the Summons's :

A Message from the Governor to the Assembly.

"Gentlemen :

"I have the Pleasure to Lay before you a Letter I lately received from Brigadier General Forbes, with the interesting and important Account of his Success in the Expedition against his Majesty's Enemies to the Westward, An Event which, it is true, has been purchased at a Considerable present Expence, but when the Consequences are cooly weighed and Considered, of suffering the French to lay the Foundation of our Future Slavery, by possessing themselves, and fortifying the back Parts of his Majesty's Colonies on this Continent, and to keep open a Communication between their Settlements from Canada to the Mississippi, I am perswaded every real Friend of Liberty will think this Conquest could not have been too dearly bought.

"Under Divine Providence, and the Courage, Prudence, and steady Conduct of the General, who is known, during the Campaign, to have struggled with and surmounted Difficulties almost insuperable, under the severest Indisposition of Body, the Success of this Expedition is owing to the good Effects of our Several Treaties and Negotiations with the Indians on the Ohio, who were determined, by the Messages sent them from the last Treaty at Easton, to withdraw themselves, and observe a Neutrality.

"The great Advantages that will attend this success of his Majesty's Arms, will be sensibly felt by all the British Colonies, but none so much as this Province, whose Inhabitants have been the most exposed to the Incursions and Cruelties of the French and their Allies from that Quarter. It is not, however, to be expected that our Vigilant and crafty Enemies will permit us long to remain in the quiet and undisturbed Possession of the Country, which they have been compelled to abandon to us. Common Prudence, therefore, as well as a Sense of Duty to our Sovereign and ourselves, demand of us to lose no Time in preparing to repel any attempts they may make next Spring to retrieve their Losses. In the mean Time, also, it highly behooves us, by every probable Expedient, to confirm the Indians on the Ohio in their Present good Dispositions, and conciliate their Affections to His Majesty, His Subjects, and Government. To effect this, much remains to be done; Yet

wavering in their Minds, & probably not unanimous in their Councils on this new Turn of Affairs, they will be liable to be again poisoned and misled by the French, unless we speedily evince to them that a firm Reliance may be had on our Friendship, and that we are able and willing to protect them against the French.

"You will find by the General's Letter, dated at Fort Duquesne, that he had determined to leave Two Hundred of our Provincial Troops to join a proportionable Number of Virginians and Marylanders to protect the Country, and he desires my advice how to dispose of the rest of the Provincials for the ease and Conveniency of the Province and Inhabitants. It was not in my power to comply fully with the General's Request without previously knowing what Number of Troops you will agree to support the ensuing year; I was therefore under the Necessity of convening you before the Time of your adjournment, to deliberate on this and the other important Matters I have above mentioned to you.

"General Forbes is of opinion that the Building of a Block House and Saw Mill upon the Kiskemontias, near Loyal Hannon, will be of the utmost Consequence to this Province; and, at this pressing Instance, I recommend it to you to make speedy Provision for so necessary a Work.

"I have appointed Indian Agents to reside at Fort Allen, and in any Place that shall be thought most proper over Susquehannah. And the Commissioners under the Act of Assembly for preventing Abuses in the Indian Trade, &c[a], have, with my approbation, already sent up Quantities of Indian Goods, which will, I hope, have a very good Effect on our New Friends, and be a Means of disposing them to continue hearty in His Majesty's Interest.

"I must also inform you that I have very lately received a Letter from General Amherst, dated the Thirteenth Instant, which will be laid before you by the Secretary, wherein his Excellency informs me that though he has not as yet any particular Orders relative to the Operations of the ensuing Campaign, he imagines the same Number of Provincial Troops will be required that were voted by the respective Colonies this year; and that it will likewise be necessary, in order to carry those Operations the more effectually into Execution, that those Troops should be at the Place of Rendezvous as early in the Spring as possible. He therefore recommends it to me, if the Troops raised by this Province for the Services of the last Campaign are not already disbanded, that I would move you to Continue them in their Pay during the Winter, which will not only be a great saving in point of Time, but, by what he can understand, a great Saving of Expence to the Province. But if it should so happen that the Troops should have been already disbanded, in that Case he desires I would lose no Time in using my Influence with you to order New Levies, and

to cause them to be provided with the usual Necessaries, and to be ready by the Time the Season will admit their taking the Field.

"Before I received the General's Letter, I had given Orders for the Discharge of the Companies which were inlisted for the Campaign Only, and sent the Paymaster to adjust their Accounts, that every Man might receive, with the Discharge, a Certificate of the Sum due to him, on which he might, perhaps, obtain Credit for the purchase of Necessaries. The Paymaster is likewise directed to appoint some Proper Person to receive and take Care of the Arms, Accoutrements, and Blankets of every Soldier before he is discharged.

"The Reasons assigned by General Amherst, for keeping up the Provincials raised for the Service of the last Year, are so Cogent and judicious, that it would be vain for me to add anything in Support of them. I hope, therefore, you will take his Excellency's Requisition into your Serious Consideration, and enable me to give him a Speedy Answer.

"Before I conclude, Gentlemen, I must remind you, that Large Arrears are due to the Troops in Pay of the Province, more than the last Sum raised for his Majesty's Use, will, as I am informed, be Sufficient to Discharge, and beg you will Consider that it is the Honour, as well as the Interest of this Province, that means should be found for the speedy Payment of this Debt.

"WILLIAM DENNY.

"December the 21st, 1758."

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An Address from the Meeting of Sufferings, dated the Fourteenth Instant, signed by their Clerk, James Pemberton, was read in these words:

"*To WILLIAM DENNY, Esquire, Lieutenant Governor of the Province of Pennsylvania, and the three Lower Counties of Newcastle, Kent, and Sussex, upon Delaware,*

"*The Address of the Meeting for Sufferings of the People called Quakers, for the said Province and New Jersey, met at Philadelphia, the* 14*th of the* 12*th Month,* 1758,

"*Respectfully Sheweth:*

"That we have been lately informed that a report of a Committee of thy Council, appointed to enquire into the Complaints of the Indians at the Treaty of Easton, the 8th of November, 1756, hath been some Months past drawn up and laid before the Governor, and since transmitted to England, and that there are some Matters alledged therein, in which the Reputation and Interest of our religious Society are immediately concerned. We, therefore, request

the Governor would be pleased to order a true Copy thereof to be made out and communicated to us, in order that we may have an Opportunity of perusing the same, and be more perfectly acquainted with the Contents thereof.

"Signed in behalf and by appointment of our said Meeting,

"JAMES PEMBERTON, Clk."

The Report of Council referred to in the said Address is a report made by the Council on the Sixth of January, 1758. After Considering the Address and the manner in which the said Report was cited, a Draught was made of the Governor's Answer, and kept under Advisement for further Consideration.

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MEMORANDUM.

On the Twenty-third a Verbal Message from the Governor was sent to the House by the Secretary, with a Letter from Colonel Peter Schuyler, inclosing a Demand of Sums expended by him in Canada on Prisoners belonging to Pennsylvania, and the Secretary was ordered by the Governor to request the House would repay that Gentleman. On the same Day, in the Afternoon, the Governor received a Verbal Message, by Two Members, that the House inclined to adjourn to the Fifth Day of February next, and at the same time they delivered a Message to the Governor in these words:

"May it please your Honour:

"The Advices of the Success of His Majesty's Forces employed in the Reduction of Fort Duquesne, which you have been pleased to lay before us in your Message of the Twenty-first Instant, are so interesting and important, as well to the Peace of this and the Neighbouring Provinces, as to the British Interest in General, that we shall not fail to do everything which can be reasonably expected from this young Colony, in frustrating the Ambitious Views of the French to destroy our Settlements, and extend their own from Canada to the River Mississippi; and we hope the Success of our late Campaign under General Forbes will greatly contribute to this good End.

"This Happy Event, we agree with your Honour, under Divine Providence, and the Courage, Prudence, and steady Conduct of the General, is owing to the good Effects of the several Treaties held with the Indians at the Expence of this Province, and especially to the late negotiations and Messages with those on the Ohio, before and since the last Treaty at Easton, by which they were induced to withdraw themselves from the French, and Observe a Neutrality; in Consequence whereof the Enemy have been necessitated to abandon the Fort from whence they have so frequently

distressed our Frontier Settlements, and those of the Neighbouring Colonies.

"The regaining the Indian Affections, from which we always expected the most natural Barrier and Security of the extended Western Boundary of this Colony, has been and will still continue the object of our Strictest Attention, and we shall, whenever we receive sufficient Information of the Disposition of the Indians on the Ohio, and the Treaty held with them by order of General Forbes, exert our best Abilities to render it their true Interest to join cordially with us, and by all means in our Power endeavour to receive & effectually Secure that Friendship which happily subsisted between them and us, will within these few years, from the first Settlement of this Province.

"In expictation of a vigorous effort to be made upon the Enemy in the next year, and at the Requisition of his Excellency, General Amherst, we shall continue the Fourteen Hundred Old Troops in the Pay of the Province till our next Meeting, at which Time we hope to receive further Information from our Most Gracious Sovereign of the intended Operations of the Ensuing Campaign.

"Your Honour's Care to Discharge the New Levies in persuance of their Agreement, and the Method you have taken to grant them Certificates for their Arrears, are very agreeable to us, as thereby the public Faith will be preserved, should the last supplies fall short, till this Debt can be provided for in the Aids to be granted to His Majesty for Defraying the Expences of the ensuing Year.

"We return your Honour our Thanks for your ready Concurrence with the Commissioners of the Indian Trade, in providing an early supply of Goods for our Indian Allies, which we hope will have a good effect; and if the Act for preventing Abuses in the said Trade, should, on Experience, and a larger Extension of our Trade, require any Alterations, or a larger Stock, we shall, on all Occasions, be willing to make such Alterations or Amendments to that Act, as may render it effectual.

"Signed by order of the House.

"ISAAC NORRIS, Speaker.

"December the 23d, 1758."

At a Council held at Philadelphia, Wednesday the 10th of January, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Lynford Lardner, John Mifflin, Esquires.

The address of the Meeting of Sufferings, presented the Four-

teenth of December, was again Considered, and a Draught that was kept under advisement was Amended and agreed to, in these words:

"Gentlemen:

"After Teedyuscung had in the Treaty at Easton, publickly charged the Proprietaries of this Province with defrauding them of their Lands, I desired the Council to examine into the State of the Indian Treaties, Purchases, and all other Transactions with them, for my own satisfaction; and they were kind enough to do it, and to make a Report to me of their Examinations, which fully convinced me of the Falsehood of the Charge.

"This Report I transmitted to the Proprietaries at London, together with Copies of the Deeds and other Papers referred to therein; and as this Matter principally affects those Gentlemen, who are to make their Defence against this Charge before His Majesty, you will easily perceive that I cannot, consistent with my Trust, order you the Copy you desire.

"I can only say that there is not the least Reflection in it upon any Religious Society, and I conceive the meeting of Sufferings have nothing to do with it. If they think otherwise, I refer them to the Proprietaries.

"And Am, Gentlemen,

"Your Most Humble Servant,

"WILLIAM DENNY.

"Philadelphia, the 10th of January, 1759.

"To MOSES FORSTER, OWEN JONES, JOSHUA MORRIS, THOMAS LIGHTFOOT, and the other Members of the Monthly meeting of Sufferings."

The Secretary being indisposed, Mr. Richard Tea, his Clerk, was sent with the Answer to Owen Jones, and he was ordered to acquaint him that the Governor desired when those Gentlemen, or any other Members of the Society should have Business with him, they would let the Secretary know it before hand, that his Honour might appoint the Time when he would chuse they should wait on him.

At a Council held at Philadelphia, Saturday the 20th of January, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esqrs.
William Logan,	Richard Peters,	
Benjamin Chew,	John Mifflin,	

A Second Address from the Meeting of Sufferings presented to the Governor the Thirteenth Instant, was read in these Words:

"*To WILLIAM DENNY, Esquire, Lieutenant Governor of the Province of Pennsylvania, and the Council of the said Province,*

"*The Address of the Meeting for Sufferings, of the People called Quakers, in the said Province and New Jersey,*

"*Respectfully Sheweth:*

"That we have Seriously considered the Answer given by the Governor the Tenth Instant, to our Address presented on the Fourteenth of last Month, and believe it to be our Duty, in Justice to ourselves and our Friends, whomever are appointed to represent, Now to renew our Request to the Governor and his Council, to favour us with a Copy of the Report of the Committee of Council appointed by the Governor to enquire into the Complaints of the Indians at the Treaty of Easton the 10th of November, 1756; And we humbly desire that our Address may be again Considered and our Request granted, that we may have an Opportunity of vindicating ourselves from the Aspersions cast on us, and of giving a true account of our Conduct and Proceedings in the late Negotiations of this Government with the Indians, by which we have no doubt of being able to obviate any Cause of objections thereto, and making it evident to our Superiors and all others that we have acted through the Course of our Transactions in the Fear of God, with Loyalty to our most gracious King, and the most sincere Concern to put a Stop to the Ravages, Distresses, and Blood Shed, which prevailed on our Frontier Inhabitants, and to promote the Interest and Peace of our Country. We are the more earnestly engaged to urge this Request, as we have received undoubted Intelligence from our Friends in London, that though the Name of our Religious Society may not be Expressly mentioned in the said Report of Council, yet it evidently appears to be designed to lay on us the whole Blame of the late Indian Ravages, as a Paragraph of the said Report communicated to us is to the following Effect:

"'We cannot But impute the said Teedyuscung's making the base Charge of Forgery against the Proprietaries to the malicious Suggestions and management of some wicked People, enemies to the Proprietaries, and Perhaps it would not be unjust in us if we were to impute it to some of those Busy, forward People, who, in disregard of the Express Injunctions of His Majesty's Ministers against it, and your Honour's repeated Notices thereof served on them, would nevertheless appear in such crouds of the late Indian Treaties, and there shew themselves so Busy and active in the management and Support of the Indians in their Complaints against the Proprietaries.'

"We are Conscious of our Innocence, and that we are not justly chargeable with any to the Injury of the Proprietaries of this Pro-

vince, either in their Reputation or Interest, and it is now too generally known here to need any Proof to be offered, that many of us have used our Endeavours, as far as we could consistent with our Stations, and a due Regard to the Authority of the Government under which we live, for the resting and confirming the Peace of the Province, but as the Insinuations of our Influencing the Indians to Complain of Injustice and fraud committed by the Proprietaries or their Agents, are made use of to render us obnoxious to our Superiors in England, We are desirous of receiving from the Governor and Council the whole of these Charges in such manner that we may acquit ourselves, and by manifesting the Integrity of our Principles and Practices, prevent the Injuries which, by this private attack on our Characters, seem to be intended against our Interest and reputation as a Religious Society.

"As the Governor, on a former Occasion, gave us assurance that he would Countenance and protect us in our religious and Civil Rights and Liberties, and that no act should be done during his Administration, by which either of them should be affected, without our being timely acquainted therewith, and a full opportunity given us of our being heard in our own Justification. We therefore desire the Governor and Council will, on this Interesting Occasion, grant us a full Copy of the said Report of Council, &c^{a}, and thereby indulge us with the Common Rights of Englishmen, of being heard before we are Condemned.

"If the Proprietaries were here, we should make our application to them agreeable to the Governor's directions; but as it is not practicable to do it without defeating our Intentions of doing ourselves Justice in a proper Way and Time, We desire the Governor and Council may not be displeased with this Application, but may give it the most Charitable Construction, and grant this our Reasonable Request.

"Signed by appointment, and in behalf of said Meeting held at Phil^{a}, 13th of the 1st Month.

"JAMES PEMBERTON, Clk."

Whilst the address was reading, a Servant came to tell the Governor that Mr. Hugh Roberts and Mr. Abel James were waiting. The Secretary was ordered to know what they wanted, and on acquainting the Council that they waited on the Governor and Council for an Answer to their Address, and, if it was agreeable, they would beg Leave to say something in Support of the address, or something to that Purpose, The Governor returned them an Answer, that the Address was under Consideration, and the Answer should be sent to Mr. Roberts this Day.

Mr. Shoemaker and Mr. Logan having perused the Report of Councils which lay on the table, declared that this was a Transaction utterly unknown to them, and that the Secretary had never given

them Notice that such Report was Drawn. Mr. Shoemaker said further, he did not so much as know that the Council were any way concerned in this inquiry, for that it was committed to James Hamilton, William Logan, and himself, and they had met several Times and did not agree to any Report. Mr. Shoemaker and Mr. Logan likewise said, that they had never heard of a Report being made by the Council, till they were told it by some Friends, that a Report was sent by the Governor to the Proprietor, in which their Society was abused; and that some People here had procured a Copy of it from London, that their Characters suffered on this Account, it being known that they were of the Committee appointed to enquire into the Causes of the Complaint and Charge of Forgery made by Teedyuscung at the Treaty of Easton in November, 1756, and therefore they desired that their Ignorance of this Transaction might be entered, which was agreed to. They were further desired to draw up their own Sentiments and Accounts of it, in order that it might be inserted in the minutes.

They were told that at the very first Council, when this Enquiry was requested to be made by the Governor, all the Members of Council were desired to assist, but as they, Mr. Shoemaker and Mr. Logan, were men of Leisure, and held no Offices under the Proprietaries, it was particularly recommended to them to assist in making the Enquiry; That long time elapsing and nothing done, it was mentioned at the next Council held after the Treaty at Easton, in July and August, 1757, and the uneasiness the Governor was under at this Delay, appearing very great, he then and repeatedly afterwards desired all the Members would give their attendance and go through with it, and that accordingly the Members frequently met at the Secretary's, Mr. Shoemaker being sometimes present, and the Indian Deeds and other Papers relative thereto were read and examined, and abundance of Conversation passed; but coming to no Conclusion, & more Time still elapsing, a Report was drawn up by the other Members and the Council regularly summoned in order to have the same read; and it was accordingly very carefully read in Council, examined, and approved.

The Secretary was then ordered by the Governor to sign the following Letter to Mr. Hugh Roberts in Answer to the Second Address of the meeting of Sufferings:

"PHILADELPHIA, the 20th of January, 1758.

"Sr:

"I am Commanded by the Governor to acquaint you and the other Gentlemen who delivered the second Address of the meeting of Sufferings that he has already returned an Answer to their Request, and does not incline to give any other.

"I am, Sir, your most Humc. Servant,

"RICHARD PETERS, Secretary.

"To Mr. HUGH ROBERTS."

The Report of Council of the Sixth of January, 1758, above mentioned, not being entered in the Council Minutes, the same is now ordered to be entered as follows:

"*To the Honourable WILLIAM DENNY, Esquire, Lieutenant Governor and Commander-in-Chief of the Province of Pennsylvania and Counties of Newcastle, Kent, and Sussex, upon Delaware,*

"*The Report of the Committee of the Council appointed to enquire into the Complaints of the Indians at the Treaty at Easton the Eighth Day of November,* 1756:

"May it please your Honour:

"Agreeable to the Order of Council, appointing us a Committee to enquire into the pretended Causes assigned by the Indians at the said Treaty for their striking the English, and destroying so many of our back Inhabitants, and their Complaints of Injustice said to be done them by the Proprietaries in some of their Indian Purchases, we have carefully looked into and Considered the same, and also the Proprietaries' Deeds for their several Indian Purchases, from the first Settlement of the Province down to this Time, with other, the Instruments, Books, Papers, and Evidences which could furnish us with any Lights into the Affair.

"We conceive the Substance of Teedyuscung's Charge and Complaints (made on behalf of the Delaware Indians, &c^{a} at the said Treaty) may be reduced to these Five Heads:

"1st. That the Ground he then stood on (the Land in the Forks of Delaware) was his Land and Inheritance, and was taken from him by Fraud, and when he said this Ground, he meant all the Land between Tohiccon Creek and Wioming.

"2d. Being called on to explain what he meant by Fraud, he answered, when a Man had Liberty to Purchase Land, and he took an Indian Deed for it, and then dies, after his Death his Children Forge a Deed like the True one, with the same Indian Names to it, whereby they take Lands from the Indians which they never sold, this is Fraud.

"3d. That when one King has Land beyong the River, and another King has Land on this side, both bounded by Rivers, Mountains, and Springs, which cannot be moved, and the Proprietaries, greedy to purchase Lands, by of one King what belongs to another, this also is Fraud.

"4th. Being asked if he had been used in that Manner, he answered, 'yes, I have been served so in this Province; All the Land from Tohiccon, the great Mountain, to Wioming, has been taken from me by Fraud; For when I agreed to sell the Land to the Old Proprietary by the Course of the River, the Young Proprietaries came and got in, run out by a Straight Line by the Compass, and by that means took in double the Quantity intended to be sold.'

"5th. That the Indians had been ill treated by the Out Settlers, in being refused the Liberty of cutting Firewood, and molested in their Hunting.

"In answer to which Charges we observe, in general, that upon a diligent Inspection and Examination of all the Proprietaries' Deeds for their Several Indian Purchases, and of other original Instruments and Papers relating thereto, or Authentic Copies of them, and also of the Council Books and other Minutes and Evidences on the Subject, we find that all the Proprietaries' Transactions with the Indians, more especially in their Purchases, have been always managed with great Justice, Candour, and Fairness, and that all imaginable Caution and Care were constantly taken by the Proprietaries and their Agents to have all their Bargains and Dealings with the Indians clearly explained to them by Interpreters, either of their own Choosing, or with whom they were well acquainted, and in whom they were an intire Confidence, and that when the Agreements were so explained and fully understood by the Indians, the same Care and Caution were used with respect to the Deeds, which were always well interpreted and explained to them, and then executed by the Indians in the most Solemn and Publick Manner, and Witnessed by persons of undoubted Character and Veracity; And not content with having one Deed for each Purchase, we find the Proprietaries got many of them ratified and Confirmed by the Proper Owners of the Land and their Successors, over and over, by subsequent Deeds executed in the most Solemn and Publick Manner.

"And with respect to the Consideration or Value paid for the several Purchases, which Teedyuscung says was sometimes but trifling and not Sufficient, we are of Opinion that Considering it is the Settling, Cultivation, and Improvement of those Lands (which at the Time of the Purchase from the Indians were all a Wilderness) that Principally make their Value, we cannot but think that the Consideration or Value paid the Proprietaries on those purchases was reasonable, and as we believe, always at least equal to, and generally much exceeded the Consideration paid by the Neighbouring Provinces on their Purchases from the Indians, and a great Part was generally paid in Cash, and the rest chiefly in valuable Woolen and Linen Indian Goods, and such parts as were not so paid were laid out in the Purchase of other Commodities equally suitable and agreeable to the Indians.

"NOTE.—The Consideration in the Deed of Release, dated the 17th September, 1718, [from the Delaware Chiefs for all the Lands between the Rivers Delaware and Susquehannah, from Duck Creek to the Mountains on this Side Leiheigh] is but small, but that Deed was only a kind of quit Claim for the Lands which had been sold and fully paid for before. See printed Copy of Indian Treaty in June, 1728, in which (Pa. 12 & 13) a Copy of this Deed is inserted, with a full Acknowledgment by Sassoonan & Opekasset, Two of the Parties to it, & the other Indian then present, of its being genuine and fair, and that they had been paid for all the Lands therein mentioned.

"Before we enter upon a particular Answer to this Charge against the Proprietaries, we think it necessary to premise and observe, that the Indians being utterly unacquainted with reading and Writing, keep no Records of their Sales of Land, or other Transactions; and that, therefore, their Knowledge of what their Ancestors did, being only traditional, is imperfect, and often very erroneous; a most glaring Instance whereof, appears in the present Complaints against the Proprietaries, in their Ignorance (if it is real) with respect to the Purchase made of their Ancestors by the Old Proprietor, Mr. Penn, of the Land in and near the Forks of Delaware, to which they now pretend to set up their Claim, tho' it was actually and fairly sold by the Indian Owners thereof, so long ago as the Year 1686, as we expect fully to make appear to your Honour; and then the whole of the said Charge against the Proprietaries will be fully answered and Confuted. For as to such parts of the Complaint as may be thought to effect or extend to the Proprietaries' Purchases in general, we think they are fully answered by our foregoing general Observations of all the Proprietaries' Indian Purchases appearing fair and just, and presuming that general Charges can be no otherwise answered than by general Answers.

"To proceed then with our particular Answer, We learn from Antient Books and Minutes, found amongst the Proprietaries' Deeds and Papers relating to the Transactions of those Times (Extracts or Copies whereof are hereto annexed), that the Purchase of the Land in the Forks of Delaware, &ca., was made in the Absence of the Old Proprietor by Captain Thomas Holme, his Surveyor General and principal Agent for Land Affairs, and one of the Provincial Council, for a full and large Consideration of Cash and valuable Goods; and that the Original Deed, which was dated the 28th August, 1686, was executed and delivered to him for the Use of the Proprietor, and a Copy thereof soon after sent by him to the Proprietor in England. The Original of that Deed we understand is lost, but the said Antient Copy being preserved, and found amongst the Proprietaries' old Papers in England, was brought over here by Mr. Thomas Penn in 1732, as appears by a Letter of his to the Secretary, which we have seen; and being proved to be the Handwriting of Mr. Philip Thlehnman, then a noted Clerk in the Secretary and Land Offices (who dyed in the year 1687), and in whose Hand many of the Warrants, Entries, and Papers of those Times in both the said Offices appear to be wrote; and the said Copy being endorsed by the said Captain Holme himself, and attended with other Corroborating Circumstances and Proofs; particularly, some Entries in an Antient Diary of William Markham, Esquire [sometime Secretary, and afterwards Lieutenant Governor of the said Province, and one of the Provincial Council], which mention the said Mr. Markham and Captain Holmes treating with the said Delaware Indians for the Purchase of the said Lands in the Forks,

just before the Date of the said Deed of the 28th August, 1686. These reasons joined with the Proofs hereto annexed [to which we refer your Honour], induce us to Look upon the said antient Copy of the said original Lost Deed to be as authentic in Law, and as much to be regarded as the said Original itself. Besides, we find that this Purchase in 1686, was allowed to be fair by the Delaware Indians themselves, at a Treaty held on Purpose to settle the Dispute between them and the Proprietaries about these Lands, at Philadelphia in August, 1737, when they signed a Deed of Confirmation for the same; and the Proprietaries, out of their Generosity, and in Compassion to the Indians' Poverty (and not as any further Consideration, as appears in Mr. Allen's Part of the annexed affidavit, N. 10), them made those Indians a handsome Present of Goods.

"The said Copy thus appearing to us to be genuine, fair, antiently wrote, and by the Proper Persons whose Business it was to write and transmit it to the Old Proprietor, we, therefore, cannot but impute the said Teedyuscung's making that base Charge of Forgery against the Proprietors (for which we suppose this Copy, being offered instead of an Original Deed, was the sole Foundation), to the malicious Suggestions and Management of some wicked People, Enemies to the Proprietaries, who had come to the Knowledge of that Circumstance of the said Deed's being lost, and that there was nothing but a Copy of it now to be found, which they would have it believed to be a forged one, being ignorant that the truth and Fairness of the said Copy would be so well proved; and perhaps it would not be unjust in us if we were to impute it to some of those busy forward People who, in disregard of the express Injunctions of His Majesty's Ministers against it and your Honour's repeated Notices thereof served on them, would nevertheless appear in such Crowds at all the late Indian Treaties, and there shew themselves so busy and active in the management and support of the Indians in these Complaints against the Proprietaries.

"Presuming then that the Charge of Forgery mentioned in our Second Head of the Indians' Complaint is fully answered, and that by the said Proofs of the Genuineness of the said Copy, and by the said Deed of Confirmation of that Purchase of the said disputed Lands the Proprietaries' Title thereto from the Indians appears to be good and fair. We shall now [after referring your Honour for the Description of the Land granted by the said Deed in 1686, and Confirmation Deed in 1737, which is in the same Words in both to the hereto annexed Copies No. 1 & No. 8], go on to state and An-

"Note.—If the Indians (who, as we have observed before, are so very Ignorant and illiterate) could be supposed capable of distinguishing betwen a Copy and an Original Writing, we think that if they had thought it false or forged they would have spoke of it when this Copy was, for want of the Original, we imagine, shown and explained to them at the said Treaty at Philadelphia in August, 1737, and not have declared themselves fully satisfied therewith, as expressed in the Minute of that Treaty, [whereof a Copy is hereunto annexed with the affidavit, No. 10].

swer the Several Objections to which the said Deeds for that Purchase may be thought liable.

"The principal Objections we Conceive are:

"1st. That Blanks are left for the Course and Distance of the Southerly Side Line of the Tract granted, and for the Head Line, which being so left Blank, the One and Half Day's Walk could not sufficiently supply and cure that Defect in the Deed.

"2nd. If it could, yet that the One and Half Day's journey required and directed by the Deeds to be gone for ascertaining those Lines was not fairly performed by Yeates and Marshall in 1737, for the Reasons the Indians gave, as mentioned in Marshall's affidavit, Viz$^{t.}$:

"'That instead of beginning at Wright's Town and going back into the Woods a North Westerly Course, as they did, they should have gone along by the Courses of the River Delaware or the nearest path to it; That they walked too fast, and should not have kept Walking constantly, but have frequently stopped to Smoke a Pipe, &$^{ca.}$; And that the Length of the Walk was unreasonable and extravagant.

"In answer to which Objections, we beg leave to observe, that in the Mont next after the Date of the said Confirmation Deed, and in Pursuance of the Agreement therein specified, the said One and Half Day's walk was regularly performed in the Presence of Mr. Eastburn, the then Surveyor General, since deceased; Mr. Timothy Smith, the then High Sheriff of Bucks county, in which those lands lay, who were appointed, by and on the Part of the Proprietaries, to superintend and see the same fairly performed, with Mr. Scull and divers other Persons, and of some Delaware Indians appointed by their Chiefs for that Purpose; and after the same had been fairly performed, as set forth in the hereto annexed affidavits of Edward Marshall, the Survivor of the Walkers, Mr. Scull, the Present Surveyor General, the said Mr. Smith, and several others

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"Note.—Tho' the said Marshall, Scull, Smith, &ca., differ in their Evidence in some not very material Circumstances, except that of the Indians expressing Dissatisfaction with the Watch, the Time, as mentioned by one or Two of the Witnesses, but contradicted by much the greater Force, particularly by those who we think most worthy of Credit, yet they all agree that the Walk was fairly performed in Eighteen Hours, with the necessary Intermissions only of One Night's Rest, and meal Times; and being greatly surprized that these Affadavits of so many of the principal Men Present at the Walk should be so diametrically opposite and contradictory to the Report of the Four Provincial Commissioners who attended your Honour at the said Treaty at Easton, which we see subjoined to the Assembly's printed Publication of that Treaty, in which Report those Commissioners take upon them to assert ['that the Transaction of that Walk was at that Treaty universally given up as unfair and not to be defended, even from the Accounts of some of our own People who were present at the Walking,' and that 'even the Secretary, tho' he said he believed that Satisfaction was afterwards made the Indians, and that this was the only Instance in which

present thereat [to which we refer your Honour for the Particulars about the said Walk], the said Mr. Eastburn laid down the Tract, Course, Beginning and End of the said Walk in a fair Map which he drew of the contiguous Lands, &c^a., in order to ascertain and compleat the Extent and description of the said Disputed Lands, in the parts for which Blanks had been left, untill the said One and Half Day's Journey or Walk should be performed, and the said Map was accordingly lodged and is now found with the Proprietaries' Indian Deeds, as mentioned in the hereto annexed affidavit, No. 10.

"But perhaps it may be objected that Mr. Eastburn took more Liberty in his May than he was warranted to do by the said Deeds for that Purchase, in making the Head Line to run at Right Angles with the Line or Course of the Walk: To obviate and Answer which Objection, and also those against the Place of Beginning the Walk, and Course of it, &c^a., we observe, that after the Description in the Deed has carried the Boundary Line of this Purchase from the Spruce Tree away to the White Oak marked P, and so Westward to Neshameny Creek (being so far the Line of the Contiguous Purchase in 1682), it goes 'on thus *from which said Line, the said Tract hereby granted, does extend itself back into the Woods as far as a Man can go in One Day and an Half*, and bounded on the Westerly Side with the Creek called Neshameny, *or the most Westerly Branch thereof so far as the said*

any Foundation of Complaint had ever been given them, yet he allowed this to be unworthy of any Government;'] he, after finishing the Examinations of all the Persons present at the said Walk, who we could learn were now to be had, desired the Secretary to inform us whether those or any other Persons present at the Walk were examined on Oath at the said Treaty at Easton, or on what else it was that those Commissioners founded those positive Assertions of theirs that the said Walk was then universally given up as unfair and not to be defended, when the direct Contrary so clearly appeared to us by the Affidavits of all those Persons at it, and whose Testimony only was worth regarding: To which the Secretary answered that none of those or any other Persons were to his Knowledge examined on Oath or otherwise about the said Walk at the said Treaty, but that some Persons who dined there with the Governor, taking upon them to speak of the unfairness of the Walk with great Positiveness, and as a thing certain, and allowed by all or most of those present at it, and particularizing many aggravating Circumstances of the Fraudulent and unjust performance of it, and throwing out some Insinuations and Reflections against the Proprietaries as if they were privy to it, he believes he might say if those things were true, such a Procedure was unworthy of any Government, but avers that he, not being concerned in these Proprietaries' Affairs till after that Transaction, was an absolute Stranger to it, and that any thing he might say about the Proprietaries making the Indians Satisfaction, for it was not from any Knowledge he had of the Fact (for that he knew nothing at all about it), but merely from his Opinion of their Strict Regard to Justice; and in Short, that tho' these Gentlemen had in their said Report pronounced so positively about that affair, he believes it could only be founded upon the said Table Talk and Loose Hear-say, and that, in fact, they knew no more of it than he did.

Branch does extend, and from thence by a Line [Blank in the Deed, but, as we construe, is to run parrallel with and] *to the utmost Extent of the said One and Half Day's Journey*, and from *thence by a Line* [Blank in the Deed] *to the aforesaid River Delaware, and from thence down by the Several Courses thereof to the first-mentioned Spruce Tree,'* the Place of Beginning. And on comparing and Considering the several Parts of the said Description, and that of the Contiguous Purchase on the South Westerly Side thereof, between Neshameny and Pennapeck, &c^a., made by Four Several Deeds, all dated the 23d June, 1683 [of which Deeds we have also annexed a Copy, No. 11], we think it clearly appears that the Walk might, consistently with the Deed, have begun at the End of the said Line running Westward from the said White Oak to where it strikes Neshameny, which would have been more in favour of the Proprietaries, than beginning it at Wright's Town, as it would have made the Walk Considerably shorter, and that the South Westerly Side Line, from the utmost Extent of the most Westerly Branch of Neshameny, was to be a parrallel with the Course of the *Walk which, according to the Words of the Deed, was to be back into the Woods as far as a Man can go in One Day and an Half.* In order to understand and settle what Course the Indians and Proprietaries meant by those Words [back into the Woods], We had Recourse to the other Purchase Deeds, where we find those words frequently used to Signify or denote the Line that was to run back into the Country from or at Right Angles with the general Course of that Part of the River Delaware from Newcastle to the Bend of the River above Pennsbury, where the Delaware Indians then lived, and where the new Settlements and cleared Lands were then encreasing and spreading each Way from the City. Which General Course of the Delaware being from about North-East to South-West, a Line at Right Angles from it back into the Woods must Consequently be North Westerly, as it is expressly called in the Deed for the Purchase of the Land between upland or Chester, and Dublin or Pennapeck Creeks, dated the 30th July, 1685 (a Copy whereof is hereto annexed and marked No. 12); from whence it necessarily follows that the Course of the said Walk, and of the South Westerly Side Line of this Disputed Purchase, from the utmost Extent of the most Westerly Branch of Neshameny (which was to be settled and determined by the Course of the Walk), must be North Westerly, as Mr. Eastburn has laid it down in his Map, and exactly corresponds with the Line of the next Contiguous Purchase, on that Side, between Neshameny and Pennapect.

"And then as the Deed requires that the Head or Cross Line shall go directly from the End of the said South Westerly Side Line, and of the Walk to the River Delaware in One Line or Couse, as we understand it, we cannot but think as Mr. Eastburn did, that it is most rational and Equitable that the said Head or Cross Line

should Run at Right Angles from the Course of the Walk and End of the South Westerly Side Line (that being the Medium and without favouring One side or the other). And especially when it is considered that the Kittatinny Mountains are made the Boundary of the Proprietaries' New Purchase in 1749 (in which Nutimus and another Delaware Chief also joined with the Six Nations), of the Lands to the North Westward of those Mountains, which run *near at right* Angles with the Course of the walk, and, therefore, we conclude must be the most Proper Boundary of the said Purchase in 1686, as well as that of the said new purchased Tract on the other Side of those Mountains. See Copy of Deed for Purchase in 1749, No. 21.

"As to the Indians insisting that the Walkers should have begun at and gone up a long Delaware Side, we shall only add to what we have observed on that Head before, that the Deed expressly says the finishing and Closing Line of the Description is Down by the Several Courses of Delaware to the place of Beginning, at the Spruce Tree. This may Serve to shew the Ignorance of the Indians and the Wickedness of those who put them on making so unjust and groundless a Charge.

"And it appears to us equally absurd and rediculous in the Indians to say, that instead of its being *a Journey as far as a Man can go in One Day and an half*, as the Deed expresses, it should only be an idle, trifling Walk, such as a Person would take who had little else in View, but to spend the Time in Pleasure, killing Game, and every now and then setting down to smoak his Pipe; And as it was not to be such a Walk, but a real Day and Half's Journey on an Affair of so much Consequence as the settling the Boundaries of so large a Purchase, and considering that according to the Natural Construction of those Words [a Journey as far as a Man *can go* in a Day and an Half], the Walkers were not strictly to be confined to Walking, tho' by the Affidavits of the said Persons present it appears they did; we think the Length of the Walk (especially stopping at the Kittatinny Mountains, where, according to Mr. Thomas Penn's Directions, as mentioned in Mr. Smith's Deposition, and where, by the said Purchase in 1749, that Head Line was fixed as aforesaid), it being only, as we are well informed, about Forty Seven Miles from Wright's Town to those Mountains, was not at all extravagant or unreasonable and ought not to have been objected to, as we find most of the Deeds for the Prior Purchases fix the North Western Boundary at Two full Days Journey with a Horse from the River Delaware.

"For Answer to the Third Head of the Complaint, and supposing it to allude, as we apprehend it does, to the Proprietaries' Purchases from the Six Nation Indians; we find by several Minutes of Council [particularly the Entries in the Council Journals, Book D, Fol. 121, &c^a^, a Copy whereof is hereto annexed, marked No. 137], and

other Proofs, that the Delaware Indians had, before the Settlement of Pennsylvania, been conquered by the Five, now Six Nation Indians, and that they were, and continued ever since, their Tributaries and Dependants, and were looked upon to have no Right to sell any Lands within this Province by the said Confederate Indians of the Six Nations, who thereupon repeatedly forbid and caution the Old Proprietary And his Sons, against purchasing any lands from the Delaware Indians, and therefore the Old and present Proprietaries, not only took Deeds for all their lands bought of the Indians from the Delaware, Susquehannah, Schuylkill, and all other Indians who claimed the right of Possession, as well particular Chiefs and Possessors of large Tracts and Districts, as the Sachems and Heads of the several Communities of those Indians, and paid for many of the Purchases Two or Three Times over on taking the Deeds of Confirmation thereof. But they also took Deeds for many of their Lands from the Six Nation Indians, that they might the better guard against any Cavil with any of the Indians about those Lands.

"We don't find that any of the Proprietaries' Indian Purchases were ever run out by a Compass, nor can we apprehend that it Could be of any use in laying them out, as they seem all to be described in the Deeds by natural Bounds; and therefore we are very much at a Loss to understand what Teedyuscung means by that part of his Charge against the Proprietaries (in our Fourth Head), wherein he Complains 'that when he (meaning, we suppose, the Ancestors of the Present Delaware Indians) had agreed to sell the Land to the Old Proprietary by the Course of the River, the young Proprietaries come and got it run out by a Straight Line by the Compass, and by that means took in double the Quantity intended to be sold,' Unless he alluds to the Circumstance of a Compass being used in the going the said One and Half Day's Walk, as mentioned in one or two of the Depositions of the Witnesses whom we examined about the walk, particularly Marshal, who says he carried a Compass at the Time of his going the Walk. But besides his being Contradicted in that Circumstance by almost all the rest of the Witnesses, we think it very improbable that he should, as it must so much retard his Walking if he stopped frequently to make any use of it, that he could not possibly Walk so far in the Eighteen Hours, as he says in his Deposition he did; and further, we find by Mr. Smith's Depositions, there could be little or no Occasion for Marshal's carrying or using a Compass, for that in order to prevent the Walkers loosing themselves and Wandering out of the Way when they quitted the great Road and old Paths, the Proprietaries' Agents had sometime before the going the walk, tried the Course, and previously marked the Trees to direct the Walkers where they were obliged by the Course of the Walk to leave the great Road and Old Paths, which indeed, as it appears by almost all the Evidence, was very little, till they came near the Kittatinny mountains, where they should have stopped, as we have before observed.

"In the Year 1740 and 1741 we find that the said Nutimus, and some others of the Delaware Indians (notwithstanding their said Deed of Confirmation in August, 1737, for the said Purchase of the said Land in and near the Forks), made a Complaint about the White People's settling those disputed Lands, but did not make any objection to, or so much as mention the said Walk, pretending* or affecting to be quite ignorant both of the said Deed in 1686, and of their own said Deed in 1737, and only said they had never sold the Proprietaries that Land.

"In Consequence of which Complaint, and of their appealing to or desiring to have their Uncles, the Six nation Indians, present when the pretended Causes for that Complaint were examined into, We find that at a Treaty held in Philadelphia in July, 1742, with the Six Nation Indians, at which there was a numerous appearance of them, with their Chiefs, and the Delawares, as well from Shamokin, with their Chiefs, as those from the Forks of Delaware, with their Chiefs also attending, the said Complaint was fully enquired into in the presence of the said Six Nation Indians, and after hearing every thing that the Complainers had to say in support of it, and what the Agent of the Proprietaries had to say in their Vindication, and perusing and carefully Considering the Proprietaries' Purchase Deeds, relating to that Disputed Land, and after the Indian Chiefs of the Six Nations had by themselves considered it, and with the Assistance of their Interpreter, Mr. Weiser perused and fully examined the Delawares and their own Letters on the Subject, with the Draught of the Land, and the Proprietaries' Deeds and Writings relating thereto, which were all laid before them, they, moved with a Proper Spirit of resentment and Concern which such base Conduct of their Couzins, the Delawares, had raised in them, declared to the Governor and Council that they saw with their own Eyes, and were fully convinced, '*that their said Cousins had been a very unruly People, and were altogether in the wrong,*' and then their famous Speaker, Canasatego, applying himself to the Delawares, with a Belt of Wampum in his Hands, reprimanded them in a most warm and pathetic Speech, which is so strong, expressive, and pertinent to the Subject of this Enquiry, that we could not omit inserting the following Extract from it, Viz^{t}:

"'Let this Belt of Wampum serve to chastise, you ought to be taken by the Hair of the Head and shaked severely till you recover your Senses and become Sober; you don't know what Ground you stand on, nor what you are doing. Our Brother Onas' [meaning the Proprietor] Cause is very just and plain. On the other Hand your Cause is bad; your Heart far from being Upright; *and you are maliciously bent to break the Chain of Friendship with our Brother Onas and his People. We have seen with our Eyes a Deed signed*

"*See Copies of minutes of Council, with their Letter of the 21st November, 1740, and Governor Thomas' Answer of the 27th March, 1741, No. 14.

by nine of your Ancestors above Fifty Years ago for this very Land, and a release signed not many years since by some of yourselves and Chiefs now living to the Number of Fifteen or upwards. But how came you to sell Land at all? We conquered you; we made Women of you; you know you are Women, and can no more sell Land than Women; *nor is it fit you should have the Power of selling Lands since you would abuse it. This Land that you claim is gone through your guts; you have been furnished with Cloaths, Meat, and Drink by the Goods paid you for it, and now you want it again like Children as you are.'**

"And after upbraiding them with Selling the Land without their Privity or giving them any part of the Purchase Money, and with their having, in their Excuse, told them a Blind Story that they had sent a Messenger to acquaint the Six Nations with that Sale, but that he never arrived; and *charging them with being dishonest and greedy to hear and receive slanderous Reports of their Brethren, the English. He charges them to remove instantly off the Land to the other Side of Delaware, where they came from.* But on reflection that they might have sold that Land too, he assigns them two Places to go to, either to Wioming or Shamokin, that their future Behaviour might be the easier and better observed by their Uncles, the Six Nations; and then orders them to depart the Council.

"Accordingly, we find the Delawares (acquiescing and satisfied with their Uncles' Judgment and Determination of their Differences with the Proprietaries about the said Land) did, in obedience thereto, settle on the River Susquehannah at Wioming, Shamokin, and other Places thereabouts, taking with them Several Jersey and Minnisink Indians, and Continue ever since (till their late Ravages upon our Borders) to live in Harmony with the Six Nations, and a Kind and Friendly Intercourse and good Agreement with the People of this Province, carrying on a considerable Trade with them, and thereby supplying themselves with all the necessaries and Conveniences of life without ever Complaining or expressing any Dissatisfaction about the said Land. And we find by the Council Minutes, that in the Year 1754, when some of the People of Connecticut setting up a Claim to the Wioming Lands, sent some Persons to the Susquehannah to view the Country, who were imprudent enough to make Draughts of the Lands and Rivers in the presence of the Indians, and to make some Attempts to Corrupt our Back Inhabitants, and engage them to purchase from them and to join with them in settling the Wioming Lands. Governor Hamilton coming to the Knowledge of these Pretentions and Designs of the New England People, and being apprehensive of the bad consequences that might attend these new Claims, and the imprudent conduct of these People, sent Mr. Weiser and his Son to Shamokin and Wioming to those Indians

"*See this Speech and Transaction in the printed Treaty in July, 1742, No. 15, and in Colden's History of the Five Nations, Page 77, &ca.

with Friendly Messages to be delivered at their Towns on Susquehannah to enquire after their Health, and to acquaint them that something had been insinuated to him as if they had Cause of Complaint against some of our Inhabitants; and if they had to impart their Grievance to him assuring them Justice should be done to their Satisfaction. See Copy of Minutes of Council, No. 16.

"This Message was taken very kindly by those Indians; and they, in consequence thereof, in April ,1755, came to Philadelphia to make their Acknowledgements for that Favour, as they esteemed it; and tho' so fair an Opportunity was given them to have signified to the Governor their Dissatisfaction about the said Land purchased by the Proprietaries in 1686, or any other cause of uneasiness if any they had entertained or conceived against the Proprietaries or people of this Government; yet they made not the least Mention of any, but on the Contrary did by their Speaker, the said Teedyuscung, then give this Government the most Solemn and full Assurances of their Warmest Affections and most earnest desire of renewing, establishing and Continuing to the end of Time that Covenant of Friendship which the Old Proprietor, William Penn, had so happily settled with their Ancestors and those of their Uncles, the Six Nations. See Copy Minutes of Council, No. 17.

"And in the Treaty held at Philadelphia in August, 1755, with the Owendates, accompanied by Scarroyady, Chief of the Six Nations, and some other Indians, just after the unhappy Defeat of General Braddock, we also find that these Delawares were then so far from having any thoughts or just cause to fall out with us, that after expressing some resentment for their not being asked to join the English in that Expedition, they, by Scarroyady, promised in the strongest Terms that if we would give them the Hatchet they would most heartily join us and their Uncles, the Six Nations, against the French. See Copy minutes of Council, No. 18.

"Besides what appears on the Subject in the said Treaty in August, 1785, we further observe, that at a subsequent Treaty or Conference at Philadelphia, the Eighth of the following November, with Scarrooyady, Andrew Montour, and Jagrea, Scarrooyady acquainted the Governor that the Speaker and House of Assembly (convened by the Governor at the Instance of Scarrooyady, to be present on that Occasion), that he was sent on Purpose by all the Nations of Indians on Susquehannah (then our hearty Friends and Allies, and at the Head of whom were these Delawares), to renew their Application and earnest request to us, to give them the Hatchet, and to aid, protect, and join with them against the French, and that he came 'to obtain our explicit Answer, whether we would fight or no;' and after he had used many other Arguments, he addressed himself to the Governor and Assembly in these words: ['Brethren: I must deal plain with you, and tell you if you will not fight with us, we

will go somewhere else. We never can or ever will put up the Affront. If we cannot be safe where we are, we will go somewhere else for protection, and take care of ourselves]; ' and tho' the Governor at the close of that Conference, after he had dismissed the Indians, did in the most Pressing manner entreat the Speaker and Assembly to return to their House, to consider well what the Indians had said on that Important Occasion, and to Strengthen his Hands, and enable him to make a proper Answer to what they had then proposed and expected of us; and letting the House know that without their Aid he could not do it; Yet we find that nothing could prevail with the Assembly to agree to our giving the Hatchet to the Indians, and joining them against the French. The Consequence whereof was, that the Governor was obliged to let the Indians go away dissatisfied, & soon after the Delawares joined the Enemy, and began to fall upon and destroy our Frontier Inhabitants. See Copy, Minutes of Council, No. 19.

"And thus this grand Crisis was neglected, and that critical and most favourable Opportunity of keeping these Indians in our Interest (when they with such earnest and repeated Solicitations and Importunities Courted and pressed us to it), and of Preventing a great part of the fatal Mischiefs that have since befallen this unhappy country, was lost!

"As to the fifth Head of the said Indians' Complaint, that they have been ill-treated by the out-Settlers, in being refused the Liberty of cutting Firewood, and interrupted in their Hunting, we being Strangers to the Facts can only say, that nothing of this kind appear to us to have been done with the Privity of the Proprietaries or this Government, and in general believe, that they have been extremely well treated by the People of this Province. There may, perhaps, have been some few rash indiscreet Person in the back Parts, who may have had Differenees with some of the Indians, and if that has been really the Case they should have complained of it to the Government, where they knew from manifold Experience, they might be sure of always meeting with the Redress and full Satisfaction for any Injuries they might have Sustained, whether of a Publick or private Nature, and not have resented it and taken their own Revenge in so unjust and cruel a Manner against the whole Province.

"Upon the Whole it is very evident to us, and so we presume it must appear to all unprejudiced Persons, that there is not the least Shadow of Foundation for any part of the Complaint made by Teedyuscung, on behalf of the Indians against the Proprietaries, we must, therefore, attribute his exhibiting that false and groundless Charge against them to some undue Influence, or to the Difficulty he was under to invent any other plausible Excuse for the cruel Murders and horrid Devastations committed by them on our

back Inhabitants, and for their base ungreatful Breach of Faith, and the many Treaties made and so solemnly and frequently renewed with us, even so lately as the Spring before they committed those shocking murders and cruelties on our Borders; And we cannot but think that instead of this False Cause which Teedyuscung has thought fit to assign for their taking part with the Enemy against us, he might with greater Truch have mentioned that of our refusing or neglecting (tho' so frequently and earnestly requested) to afford them Protection and give them the Hatchet, and to join and go out with them against the French, as we have before observed. But the People who have since that Time appeared so indefatigably industrious to engross all the Management of the Indians to themselves (in which your Honour must be sensible, as well as we, they have too well Succeeded), were chiefly the same who made up a great Majority of the Assembly at the Time when the House from their avowed religious Principles, or from what other Motives they best knew, refused or declined to concur with the Governor in giving up the Hatchets to and joining with those Indians against the Enemy, and as they cannot but be conscious that they justly deserve, and must have incurred great Blame on that account, if the Indians should have given that for the Reason of their joining with the French against us, we are better able to account for these People being so numerous at all the late Indian Treaties, and upon all Occasions so very forward and anxious to ingratiate themselves with the Indians; and for Teedyuscung's choosing to offer these imaginary Reasons for their Quarrel with us, rather than the True one.

"We are, Sir,

"Your most Humble Servants,

"JOSEPH TURNER,
"LYNFORD LARDNER,
"BENJAMIN CHEW,
"JOHN MIFFLIN,
"THOMAS CADWALADER.

"Read and approved in Council, the 6th January, 1758."

The Schedules annexed to the foregoing Report:

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"No. 1. Antient Copy of Indian Purchase Deeds of 28th of August, 1686 - - - - -	1, 2, 3
"No. 2. Minutes of Indian Land Treaty, 24th April, 1737 - - - - - - - -	7, 8, 9
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"No. 4. Depositions of persons present at the Walk, Septem^{r} 1737, Viz^{t}:	
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"No. 5. Copy Benjamin Easburn's Map, and the one and Half Day's Walk, and Lands adjacent -	33
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"No. 10. Messrs Allen, Hamilton, Richard Peters, and Nicholas Scull's Affidavit, proving said preceding Deeds and Papers, from No. 1 to No. 9, therein referred to - - - - -	64 to 74
"No. 11. Copys 4 Several Indian Deeds, all Dated 23d June, 1683 - - - - - - -	80
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"No. 13. Copy Minute of Council, 22d July, 1707 -	96
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And his Answer - - - - - - -	112
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"No. 15. Copy Indian Deed for River Susquehannah, and Landson both Sides, dated 11th October, 1736	118
And probate thereof - - - - - -	122
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Probate thereof, p^{r} Conrad Weiser - -	126
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Copy Conrad Weiser's Affidavit to prove Indian Deed of 11th & 25th, and proving said Petition of 19th November, 1736, signed then at his House, 1736 - - - - - - 130

"No. 16. Minutes of Council, 6th April, 1754, with Governor Hamilton's Message & Mr. Weiser to Susquehannah Indians, offering to redress any Grievances they had to complain of - - 134

Mr. Weiser's report thereon in Minute Council 7th May, 1754 - - - - - - - 135

"No. 17. Copy Minutes of Council at Indian Treaty, or friendly Conference with Delawares, &c^a. 14th April, 1755 - - - - - - -

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And of Assembly's answer thereto - - - 167

"No. 21. Copy Indian Deed of 22d August, 1749 - 170

At a Council held at Philadelphia, Tuesday, February the 6th, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell, Richard Peters, } Esquires.
Joseph Turner, Lynford Lardner, }

The Governor laid before the Board two Letters he had received from General Amherst, which were read and ordered to be entered:

A Letter from General Amherst to Governor Denny.

"NEW YORK, December the 30th, 1758.

"Sir:

"I received with great Pleasure your Letter of the Twenty-Fifth Instant, accompanying your Message to the Assembly and their Answer, Both which are so satisfactory and so promising for the good of the Service in general, that I should think myself wanting in point of Acknowledgement were I not to make you the most early Return for the Same.

"The Ready compliance of the Assembly at my Requisition to Continue the Fourteen Hundred Old Troops in the Pay of the Province till their next meeting, likewise merits my warmest Thanks, which I must beg to convey to them through your Channel, with the further Assurances of my taking the first Opportunity to lay before His Majesty this mark of their Loyalty and Zeal.

"I am also much obliged to you for the Copy of Brigadier General Forbes' Letter; but am sorry to find he was so much indisposed as not to be able to travel from Loyal Hannon. I hope he will have recovered, and that I shall soon have the Satisfaction of Congratulating him on his return to Philadelphia.

"I am, with great Regard, Sir,

"Your most Obedient humᵉ. Servant,

"JEFF. AMHERST."

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Another Letter from General Amherst to Governor Denny.

"New York, 13th January, 1759.

"Sir:

"Yesterday I had the pleasure of your Letter of the Eighth Instant by Lieutenant Colonel Morris, acquainting me with your being to meet the Assembly of the Lower Counties on the Twenty-Second of this Month, and that as you have experienced their Loyal Affection to His Majesty's Person and Government you flatter yourself they will chearfully raise Supplies for the Service of the Current year to the utmost of their Abilities. I wish you, Sir, at that Meeting all imaginable Success, and from your Experienced good opinion of them, make no doubt but I shall have the Satisfaction of Congratulating you thereupon, and of returning them my Warmest Thanks.

"Lieutenant Colonel Morris having represented to me that some small Difficulties had arisen at Philadelphia in relation to Quartering, I take this Opportunity of transmitting to you a Copy of the Agreement entered into between the Deputy Quarter-Master General for the King and the Select Men of Boston, which I have made a standing rule for all the other Provinces and Colonies on the Continent, who now one and all comply therewith, and do as I have no reason to think that Pennsylvania would be deficient in their Care of and regard for the Troops sent for their Defence and Protection, I make no Doubt that upon sight of the before mentioned agreement they will chearfully comply with it, and cause every difficulty that may have arisen immediately to Subside.

"I am, with great Regard, Sir,

"Your most Obedᵗ. Humᵉ. Servant,

"JEFF. AMHERST."

Two Members having waited on the Governor Yesterday to acquaint him that the House were met, his Honour directed the Secretary to deliver to the House the said Letters from General Amherst, and also a Copy of the Agreement mentioned in the General's Letter of the Thirteenth of January, with a Verbal Message, that the Governor recommend to the House the immediate Consideration of the distressed state of the Provincials, who are now on Duty in the Several Garrisons of the Frontiers. His Honour likewise desires a Sufficient Number of Blankets may be forthwith sent, and the Soldiers enabled to Provide for themselves such Necessaries as are absolutely wanted in this Severe Season.

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MEMORANDUM.

On the Seventh Two Members waited on the Governor to acquaint him that the House had referred to the Provincial Commissioners to make Provision for the Troops, agreeable to his Honour's verbal Message of Yesterday; that as no Advices had been received from Great Britain, relating to the Plan of Operations for the Ensuing year, the House inclined to adjourn to the Twenty-Fifth Instant, if the Governor had no Objection. His Honour was pleased to say, he was glad the House had ordered a proper supply of Blankets for the Troops, and that he had no objection to the proposed Time of adjournment.

At a Council held at Philadelphia, Tuesday the 13th of February, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	Richard Peters,	
Lynford Lardner,	Thomas Cadwalader,	

The Governor informed the Council, that as soon as he returned from Newcastle he was acquainted by Mr. Croghan and Mr. Montour, that several Indians were in Town who lived near the indian Town Bouclones, on the Head Waters of the Ohio, and that Tottinyanhiago and the youngest Shick Calamy, called John Petit, who had been dispatched with the Messages to the Ohio Indians from the Treaty at Easton, were likewise here, with Thomas King, and another Warrior who had assisted General Forbes at the Close of the Campaign, and tho' their Business was principally with the General, they would be glad to Wait on the Governor. The Secretary was sent to them with the Governor's Compliments, and a

kind Message to enquire after their Health and Accommodations, and that he would be glad to see them the next Day, which was Tuesday the Third Instant.

Accordingly they came on that Day, when they expressed great uneasiness at their being detained in Town by the General, who was indisposed, and had let them know that when the Governor came to Town he would speak to them, and desired the Governor would remind him of their being here and that they wanted to speak with him and their Business required Dispatch.

"At their Instance, he pressed the Governor from time to time to hear what they had to say, but being too much indisposed he had desired Mr. Peters to examine into their Errand and take it down in Writing, and to Put some Questions to them, and be very Exact in taking down their Answers, which was done as follows:

"On Thursday the Eighth of February, 1759, Richard Peters, at the Request of General Forbes, with the Approbation of the Governor, held a Conference with the Indians.

"PRESENT:

"Tottinyantringo, a Cayuga Chief; John Petit, or the Youngest of the Shick Calamys, Mes^rs. sent from Easton Treaty.

"Thomas King, Warrior and Oneido Chief.

"Canawaago, the Chief of the Indian Deputies near Bowlunce.

"A Cherokee Deputy, sent from the Cherokees with the Army under General Forbes to Bowclunce, before the Reduction of Fort Duquesne.

"George Croghan, Esquire, Indian Agent to Sir William Johnson.

"Andrew Montour, Interpreter.

"1st Question. 'Where do these Deputies live, when did they leave their Town, and where did they come from last?'

"Answer. 'We live on Ohio, about Ninety Miles above Venango, and we left our Towns along with the Cherokees, in Number Forty, above two Months ago, and we called at Venango, and thence came the straight Path to Fort DuQuesne, without calling any where else.'

"2d Question. 'What is the Business you were sent upon, and to what People?'

"Answer. 'Before we left home we heard that the French had abandoned Fort Duquesne, and the English had taken Post there, and that Deputies from the Six Nations were transacting Business with the Delaware and Shawanese, which was the Reason of our setting off from home to hear what news was passing between the English and Indians about Fort Duquesne; We were Thirty of our own Nation when we sat out, and Ten Delawares, of which Thirty we present are five, and the rest are waiting for our Return at Fort Duquesne.'

"'In our Way to Fort Duquesne, we called at Venango, where we saw the principal Officer who commanded lately at that Fort, and Forty French Soldiers with him, and no more.'

"3d Question. 'What is the Reason that you did not return to your Own Country from Pittsburg, as the Commanding officer there had, at your request, related what had passed between the English and the Delawares, and between the Six Nation Deputies and the Indians at Kushkuski, and the other Town on Beaver Creek?'

"Answer. 'When we came to Pittsburgh and found that the Deputies of the Six Nations, and the English General were gone to Philadelphia, we held a Council, at which it was determined that Deputies should be sent down after the Six Nation Deputies; and the General, in Order to know what was to be done this next Spring, and what the Six Nations had transacted at the last Treaty at Easton, that we might take Measures accordingly; and further, that we might send answers to several Messages which we had received from the Southern Indians, by one of them who is now present, which we could not do till we should hear from the Mouths of the Deputies of the Six Nations, and of the General, what is really agreed on between them and the other Indians. You must be sensible that this is a Matter of vast Importance for us to know with Truth and Certainty, as the French are our near Neighbours, surrounding us on all sides, and urging us to join them. This made it necessary to know the particulars of the Treaty at Easton, and on what Footing Peace was established between the Indians and English.'

"'This is what we had in Charge from our Towns, and we told it to the Commanding Officer at Pittsburgh, who wrote it down, and we are now sent to receive the Answers from the Mouths of the General and the Six Nations Deputies; and we would further be glad to know, what was put down in Writing by Colonel Mercer, and sent to the General, that if it be wrong, as we had very bad Interpreters, it might be set right.'

"'May it not be the shortest way, as Andrew Montour can interpret well, for you to relate what you really came about, and if you think so, please to relate it.'

"They grew tired, and being hungry, wanted Dinner. Postponed till to-morrow Morning Nine o'Clock."

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"The Conference continued on Friday, 9th of February, 1759.

"PRESENT:

"The same as before.

"And the other four Deputies from the Canawaago with another Indian called Assarago, who came to Town last Night.

"Tottinyantungo, Speaker.

"He repeated, according to the Indian Custom, what had been said yesterday, adding a few more particulars, Vizt. :

"'That when they came to Venango, the Commanding Officer made a Speech to them and gave three War Belts: one to the Shawanese, one to the Delawares, and one to the Six Nations, telling them that the English had drove them from Fort Duquesne, and desired them to take the Hatchet against the English, and revenge their injuries upon them; but they rejected the Belts and the Hatchet, and declared they would go and see with their own eyes, likewise know for certain what was doing at Fort Duquesne; that there were six Nation Deputies with the English General, and with them they would talk, & afterwards take their Measures according to what they should be informed of. They were well pleased with the reception given them at Pittsburg, and the whole Party having held a Council, these five were appointed to follow the Six Nation's Deputies and the General, and learn from their own Mouths what had passed, and what the English General determined to do, and what was the Resolutions of the Six Nations thereupon. They added, 'We have often heard that the English had since the present War retained a great Regard for the Indians, and as we have always preserved an affection for our Brethren, the English, We come now to tell them so, and to know if what we have heard of their regards from the Indians be true.

"'This is the Substance of our Business, and we are ordered to return in Twenty-Five Days, the French being very industrious in making Interest with all the different Indians, and endeavouring to turn them in their favour, for they will certainly make an attack early in the Spring.

"'We, therefore, desire to be satisfied by the General in these two Articles: 1st. To be informed what was agreed upon at Easton between the Six Nations, Delawares, and English. Secondly, What further measures the English General will take in the Spring, and what part the Six Nations will take therein.'

"4th Question. 'Does the Cherokee return to his Country from this Town, or go back with you to your Towns, and what were his Messages he brought to you?'

"Answer. 'He was sent to know what we and the Six Nations would do in the Spring, for their People were determined to do the same. This was all his Errand, and we have several Messages from the Southern Indians to the same Purpose. We think the Indians of all Nations will follow the Determination and Example of the Six Nations; and therefore, we are under a necessity of knowing the General's Resolutions and those of the Six Nations, in order to return our Answers. The Cherokee is to return with us to our Town, where we left his Uncle, who are both to be dispatched home with the Determinations of our Councils.'"

The General finding himself worse, and unable to speak, wrote a letter to the Governor by Lieutenant Grant inclosing what he would chuse should be said in his Name to the Indians; and the Governor acquainted the Council they were now called to Consider it.

The Speeches were read, and as it is intirely a Business with the King's General, the Governor and Council were of opinion that from the necessity of the Affair it might be proper if the Governor would be pleased to gratify the General's Request and to Send for the Provincial Commissioners and Confer with them.

The Provincil Commissioners attended the Council, and after long discourse they were of opinion that since the General was not able to speak, and it might be of bad Consequence to send these Indians away dissatisfied for want of Presents, if no Method could be fallen upon to make the General sensible that it was his Business to make these Reports, they, the Commissioners, would provide them.

Then the Indians were sent for, but were too much in Liquor to come into Council.

The Speeches were agreed to be delivered in the name of the General as follows:

"Brethren:

"I was from Day to Day in hopes of the General's recovery that he might have met you face to face, and in person proceeded on the Business you came to transact; but the State of his health continues so weak that he cannot come abroad; but as you have signified to me that any longer delay would be extremely dangerous, I have sent for you at his request, and am now about to speak to you on his behalf, and desire you will be attentive and hearken to what I shall say to you."

A String.

"Brethren, from Canawaago and the Neighboring Towns:

"You have acquainted the General that the Indians at Canawaago and places adjacent were informed of the Reduction of Fort Duquesne by the English, and likewise, that Deputies from the Six Nations were arrived from the Treaty at Easton in the Delaware Towns with Messages to all the Indians living in those parts; and that on this Intelligence forty of your People were dispatched to talk with these Six Nation Messengers and with the English General, and to know from them the particulars of that Treaty and of the Messages sent to the Delawares; and to be informed what measures would be taken by the English the Ensuing Year, and what part the Six Nations would take therein.

"You further acquainted the General, that these forty Indians finding, when they came to Pittsburg, that He, as well as the Deputies of the Six Nations, had left the Place, and were returning

home, held a Council, and sent you, who are five of them, after the General and Six Nation Deputies, and ordered you to confer with them, and be satisfied in these matters.

"Brethren:

"I have repeated the particulars of your Business as they have been taken down from your own Mouth, but if any part has been mistaken or omitted, please to point it out, that it may be amended.

"Brethren:

"The Indians at Canawaago shewed their prudence and good disposition in sending some of their own people to hear with their own Ears and see with their own Eyes, and to be satisfied of every thing from the Mouths of the General and the Deputies of the Six Nations. They might otherwise have been imposed upon by false Relations.

"Brethren:

"It is very true that a great Treaty was lately held at Easton, in behalf of all his Majesty's Subjects, with the Delawares, Unamies, Mohiccons, and Minisink Indians.

"That the Six Nations were first of all made acquainted with our intention to hold this Treaty, and invited to it, and that in Consequence of this Invitation some of the principal Chiefs of those Nations were sent to attend, and assist in it, and in Conjunction with these Chiefs, Peace was confirmed between the English and those Indians, and sundry matters transacted, of all which an Account was sent by these, our Brethren, to the Delawares, Shawanese, and other Indians on the Ohio, and as I understand the whole has been faithfully related to you by these, our Brethren, I desire you will give entire Credit to it, as they are of your own Nations.

"The Six Nations further joined with us in sending Messages to the Ohio Indians to withdraw from the French, and to cease doing any further mischief the English, and to return to their old Friendship and alliance with them. This Belt confirms my Words.

"Brethren:

"On the approach of the English Army to Fort Duquesne, the French Commander, rather than fight, chose to abandon the Fortification and run away, on which the General took Possession of that Place, and immediately sent Messengers to the neighbouring Indians of all Nations to assemble and come and confer with him there; it unfortunately happened that the General was so ill that he could not wait for their coming, and therefore, impowered the Gentlemen who was next in Command to assure them that his Majesty did not send his Forces to hurt the Indians, or to take their Lands from them, but to drive the French away, and to recommend it to the Indians, for whose Service and Protection this Armament

was made to send the French away from the other parts of the Ohio and Oblige them to destroy their Forts and leave the Country.

"Brethren:

"If the Indians will follow this good advice and remove the French themselves, they will convince the English of their Sincerity. If they incline to do this, and the French should pay no regard to what the Indians say to them, or prove too strong for them, the General will be ready to come to their Assistance, for he is determined the French shall not remain in that Country, and will never let them rest till they abandon all their Forts."

A Belt.

"Brethren:

"The General knows the French have told the Indians that the English intend to cheat them of the Land on the Ohio, and settle it for themselves, but this he assures you is false. The English have no intention to make Settlements in your Hunting Country beyond the Allegheny Hills, unless they shall be desired for your Conveniency to Erect Store Houses in order to establish and carry on a trade which they are ready to do on fair and just terms; And in the mean time a quantity of Goods has been sent to Fort Duquesne, for the present Trade with their Brethren, and more shall be sent if the Indians desire it, and the Weather will admit.

"Brethren:

"The General gives you the Strongest Assurances that all such Indians as shall be disposed to join his Majesty's Forces shall be well Supported and furnished with every thing necessary for Warriors, and for any particular Services that an Indian shall be employed to do, he shall be rewarded to his Satisfaction.

"By General Forbes' Order,

"JAMES GRANT, Lieutenant 62d Regiment."

At a Council held at Philadelphia, Wednesday the 14th of February, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell, Richard Peters, } Esquires.
Lynford Lardner, Thomas Cadwalader, }

A Petition from the Neutral French, setting forth the present Distresses of those Poor People, was read; Mr. Hughes only attending as Commissioner, it was recommended to him to speak to Mr. Lardner, that they might be taken care of; and they were desired to enquire of the Overseers of the Poor, what had actually been done for them.

The Indians came into Council, and the Speech agreed to yesterday was delivered to them.

After the Governor had finished, the Cayuga Chief conferred with the principal Indians and Thomas King, and after some time spent in Consultation, the Indians, by Thomas King the Speaker, returned the Governor thanks for his Speeches, repeating them one by one, and said they were very agreeable.

They complained that they had not been supplied with Liquor, not one Person having ordered them a Tub of Punch all the Time that they had been in town.

That they inclined to go home to-morrow, but being told that some Cloaths and proper Necessaries were preparing, they agreed to stay longer, and it was recommended to Mr. Hughes to use all the Dispatch possible.

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MEMORANDUM.

On Monday, the Nineteenth, the Presents were delivered to the Five Indians from Canawaago, or Boucaloonce, by the Secretary, Joseph Fox, and John Hughes.

A Passport and Letter was delivered to Ensign Biddle, and he was ordered to conduct the Indians to Fort Pittsburg.

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MEMORANDUM.

On Tuesday, the Twentieth, Andrew Montour waited on the Secretary in the Morning, to acquaint him that the Indians had said a great deal to him, and were very much dissatisfied. What he said was reduced to Writing, sent to the Governor, and to Governor Glenn, for General Forbes, to Colonel Boquet, and to General Amherst, in these words:

"Andrew Montour came to tell the Governor that the Messengers from Boucaloonce, or Canawaago, were very uneasy, and apprehended that it would hurt the English Interest very much at this Critical Time should they return with such general answers as they have got, and nothing more precise be said to them. At present, they neither know what will be done by the army, nor what is desired of the Indians, both which all the Indians on the Ohio and parts adjacent, wait to know, and expect the Messages by them, and if they should return without them, the cannot be Answerable for the Consequences. For the Indians, if kept any Longer in this State of uncertainty, will be constrained to join the French, which they have no mind to do, provided the English General will engage their Services by open and affectionate Messages. Why is this not done? They are acquainted the General is Sick; Is there no Body else to do the King's Business?

"They love their Brethren, the English, and to them they are Sincere. They intend this Morning to dispatch two of their Indians with Messages to all the Indians on the Ohio, setting forth their kind reception, and the reasons why they stay so long, and desiring them in the strongest Terms not to Suffer the French to strike the English at Pittsburg, or any where else, but to wait till their return, and till they shall hear what the English say to them, which they hope will be sent by them; they will wait, tho' with reluctance, some time longer for these Messages.

"They say further, that it is absolutely necessary Andrew Montour should be ordered to go with them, and empowered to deliver with them whatever Messages were sent to the Indians, as he is every where known and confided in, and they had it in charge to desire he might come with them. They further beseech the Person who is first in Command, to be open and let them know his Purposes, and what he expects from the Indians who are dispersed to take any reasonable part he shall ask of them.

"Andrew Montour told the Indians he was an Officer, and Subject to the General's Orders, and could not Consent to go with them, except by written Orders from him. Ensign Biddle will conduct the Indians if the Governor Pleases.

"On reconsidering the matter, the Indians from Canawaago thought it best to wait till General Amherst should come to Town, as he was daily expected, and to sent off two of their Young Men to acquaint their People with the present General's Indisposition, and the expectation of the Commander-in-Chief's coming to this City, and that they would stay to speak with him, so that only two went away under the care of Ensign Biddle."

At a Council held at Philadelphia, Monday the 26th of February, 1759.

PRESENT:

The Honourable WILLIAM DENNY Esq., Lieutenant Governor.

Robert Strettell, } Esquires.
Richard Peters, }

A Letter from Secretary Pitt of the Ninth of December last, received by Doctor Hack from General Amherst, and the General's Letter to the Governor, were read and ordered to be entered. The Secretary was desired to form a Message upon these Letters to be laid before the Assembly, who were to meet this afternoon on their own adjournment, which was accordingly drawn, approved, ordered

to be transcribed, and delivered in the morning to the House, with the above Letters:

A Letter from Secretary Pitt to Governor Denny.

"WHITEHALL, December 9th, 1758.

"Sir:

"His Majesty having nothing so much at heart as to improve the great and important advantages gained to last campaign, as well as to repair the Disappointment at Ticonderogo; and by the most Vigorous and extensive efforts to avert, by the Blessing of God on his arms, all Dangers which may threaten North America from any future Irruptions of the French; And the King not doubting that all His faithful and brave subjects there will chearfully Co-operate with, and Second to the Utmost, the large Expence and Extraordinary Succors Supplied by this Kingdom for their preservation and Defence. And His Majesty considering that the several Provinces, from Pennsylvania inclusive to the Southward, are well able, with proper Encouragement, to furnish a Body of Several Thousand Men to join the King's Forces in those parts, for some offensive operations against the Enemy; And his Majesty not judging it Expedient to limit the Zeal and Ardour of any of His Provinces by making a Repartition of the Forces to be raised by each respectively for this most important Service, I am commanded to signify to you the King's pleasure, that you do forthwith use your utmost Endeavours to Influence with the Council and Assembly of your Province to induce them to raise, with all possible Dispatch within your Government, at least as large a body of Men as they did for the last Campaign, and even as many more as the Number of its Inhabitants may allow, and forming the same into Regiments as far as shall be found Convenient, that you do direct them to hold themselves in readiness, as early as may be, to march to the Rendezvous at such Place or Places as may be named for that Purpose by the Commander-in-Chief of His Majesty's Forces in America, or by the Officer who shall be appointed to Command to King's Forces in those Parts, in order to proceed from thence in Conjunction with a Body of his Majesty's British Forces, and under the Supreme Command of the Officer to be appointed as above, so as to be in a Situation to begin by the first of May, if Possible, or as soon after as shall be any way practicable, such offensive Operations as shall be judged by the Commander of his Majesty's Forces in those parts most expedient for annoying the Enemy, and most Efficacious towards removing and repelling the Dangers that threaten the Frontiers of any of the Southern Colonies on the Continent of America, and the better to facilitate this important Service. The King is pleased to leave it to you to issue Commissions to such Gentlemen of your Province as you shall Judge from their Weight and Credit with the People, and their Zeal for the Public Service, may be best disposed and enabled to quicken and effectuate the

Speedy levying of the greatest Number of Men, In the Disposition of which Commissions I am persuaded you will have nothing in View but the Good of the King's Service, and a due Subordination of the whole when joined to his Majesty's Commander, and all Officers of the Provincial Forces as high as Colonels inclusive, are to have Rank according to their Several Respective Commissions, agreeable to the Regulations contained in his Majesty's Warrant of the 30th of December, last year.

"The King is further pleased to furnish all the Men so raised as above, with arms, ammunition, and Tents, as well as to order Provisions to be issued to the Same by his Majesty's Commissaries in the the same Proportion and manner as is done to the rest of the King's Forces, And a sufficient Train of Artillery will also be provided for at his Majesty's Expence for the Operations of the Campaign. The whole, therefore, that the King expects and requires from the several Provinces, is the Levying, Cloathing, and pay of the Men, and on these Heads also, that no Encouragement may be wanting to the fullest exertion of your Forces, His Majesty is further most graciously pleased to permit me to acquaint you, that strong Recommendations will be made to Parliament in their Session next Year, to grant a proper Compensation for such Expences as above, according as the active Vigour and Strenuous Efforts of the respective Provinces shall justly appear to merit.

"It is His Majesty's Pleasure that you do, with particular Diligence, immediately collect and put into the best Condition all the Arms issued last Campaign which can be any way rendered Serviceable, or that can be found within your Government, in order that the Same may be employed as far as they will go in this Exigency. I am at the same time to acquaint you, that a reasonable supply of Arms will be sent from England, to replace such as may have been lost, or have become unfit for future Service.

"I am further to inform you, that Similar Orders are sent by this Conveyance to Maryland, Virginia, North Carolina, and South Carolina. The Northern Governments are also directed to raise Men in the same Manner, to be employed in such offensive Operations as the Circumstances in those parts may point out, which it is hoped will oblige them so to divide their attention and Forces as will render the several Attempts more easy and Successful.

"It is unnecessary to add any thing to animate your Zeal in the Execution of his Majesty's Orders on this great Occasion, where the future Safety and welfare of America, and of your own Province in particular, are at Stake; And the King doubts not, from your known Fidelity and Attachment, that you will employ yourself with the utmost Application and Dispatch in this urgent and decisive Crisis.

"I am, Sir, Your most Obedient Humble Servant,

"W. PITT."

A Letter from General Amherst to Governor Denny.

New York, 16th February, 1759.

"Sir:

"I yesterday had the Honour of receiving a Letter from Mr. Secretary Pitt, bearing date the 9th of December last, signifying to me that His Majesty had Judged it expedient to Dispatch his Orders to the Several Governors in North America for Levying the same or a greater Number, if Possible, of Men than they did for the last Campaign, and at the same time enclosed to me the Copies of his Circular Letters to the Northern and Southern Governors on that subject, wherein the King's Directions are so fully stated, that I can have little else to add, than my most earnest recommendations to you forthwith to use your utmost Endeavours and Influence with the Council and Assembly of your Province, to induce them to raise with all possible dispatch within your Government, at least as large a Body of Men as they did for the last Campaign, and even as many more as the number of its Inhabitants may allow, in which I should hope you will prove the more Successful, as I have already prepared you for it so long ago, as by my Letter of the 13th December last.

"As I propose to begin the Operations of the ensuing Campaign so soon as the season will permit me, and, if possible, much earlier than the first of May. I must, notwithstanding Mr. Pitt's Letter, desire that the Troops of your Province may be ready by the tenth of April at furthest.

"I must likewise particularly recommend to you the Strict and immediate Observance of His Majesty's directions relative to the collecting and putting into the best Condition, all the Arms issued last Campaign, and that have not been returned, which can be any way rendered serviceable, or that can be found within your Government, in order that the same may be employed as far as they will go in this Exigency.

"And as most People in North America have arms of their own, which, from their being accustomed must be more agreeable and proper for them, I do as an Encouragement for their Coming provided with them, engage to pay for every one of those they shall so bring, and that may be spoiled or lost in actual Service, at the rate of Twenty-five Shillings a Firelock, which I understand was allowed last Campaign.

"I am, with great Regard, Sir,

"Your most Obe^{t} Hum^{e} Servant,

"JEFF. AMHERST."

A Message from the Governor to the Assembly.

"Gentlemen:

"I now lay before you a Letter I lately received from one of his Majesty's principal Secretaries of State, dated the Ninth Day of December last, wherein he is graciously pleased to signify his Resolution to improve the great and important Advantages gained the last Campaign, as well as to repair the Disappointment at Ticonderoga, and by the most vigorous and extensive efforts to avert, by the Blessing of God on his Arms, all Dangers which may threaten North America from any future Irruptions of the French, and that his Majesty not doubting but all his brave Subjects there will chearfully co-operate with, and Second to the utmost, the large Expence and Extraordinary Succors Supplied by the Kingdom of England, for their Protection and Defence; and his Majesty considering that the Several Provinces, from Pennsylvania inclusive to the Southward, are well able, with proper Encouragement, to furnish a Body of several Thousand Men to join his Majesty's Forces in those parts, for some offensive operations against the Enemy, has therefore signifyed to me his Pleasure, that I should forthwith use my utmost Endeavours and Influence with you, to Induce you to raise, with all Possible Dispatch, within this Province, at least as large a Body of Men as you did for the last Campaign, and even as many more as the number of its Inhabitants may allow, to hold themselves in readiness to march as early as may be to the Rendezvous, at such place or places as may be named for that Purpose by the Commander-in-Chief of his Majesty's Forces in North America, or the Officer who shall be appointed to command the King's Forces in those parts, to proceed, in Conjunction with a Body of His Majesty's British Troops, so as to begin as soon as practicable, such Offensive Operations as shall be judged, by such Commander of His Majesty's Forces, most Expedient for annoying the Enemy, and most efficacious towards removing and repelling the Dangers that threaten the Frontiers of the Southern Colonies on this Continent. His Majesty is further pleased to furnish all the Men, so raised, with arms, Ammunition and Tents, as well as to order Provisions to be issued for the same by his Majesty's Commissaries, in the same Proportion and Manner as is done to the rest of the King's Forces, and a Sufficient Train of Artillery will also be provided, at his Majesty's Expence, for the Operation of the Campaign. The whole, therefore, that the King expects from you is, the Levying, Cloathing, and Pay of the Men; and that no Encouragement may be wanting to the fullest Exertion of your force, His Majesty is further most graciously pleased to acquaint me, that Strong recommendations will be made to Parliament, in their Sessions Next Year, to grant a proper Compensation for such Expences, according as the active Vigour and strenuous Efforts of the respective Province shall justly appear to merit.

"Gentlemen:—In obedience to the King's Commands I do most earnestly recommend it to you to take these matters into your immediate Consideration, and loose no Time in complying with the Reasonable Requisitions His Majesty makes of you. A Sense of Duty to the best of Kings; the Preservation of your own Liberties and Possessions, which his Majesty is wisely and vigorously endeavouring to support and transmit to your Posterity, are motives that must inspire you with the highest Zeal; and the example of the Parliament of Great Britain, unanimously concurring with his Majesty's Measures, must animate you to exert yourselves to the utmost of your Power on this interesting Occasion, and, I doubt not, will induce you chearfully to raise the Supplies required of you. I also lay before you a Letter from General Amherst, Commander-in-Chief of all His Majesty's Forces in North America, requesting that the Forces raised by this Province may be in readiness by the Tenth of April, at which Time he proposes to take the Field. I must, therefore, press you to use Dispatch in your Councils, that such Advantages as the General may reasonably expect to reap from opening the Campaign so early may not be frustrated.

"WILLIAM DENNY.

"February 27th, 1759."

The Governor then laid before the Board a Message from the Honourable the Proprietaries to the Assembly, with their Answer to a Paper intituled Heads of Complaint, presented to them by Benjamin Franklin, Esquire, together with the said Heads of Complaint, all which Papers his Honour had received by the Packet from the Proprietaries, and by a Letter from them was directed to lay before the House. They were ordered to be entered in the Minutes of Council, and the Secretary was directed to deliver them to the House with the foregoing Letters and Message:

A Message from the Honourable the Proprietaries, Thomas and Richard Penn, Esquires, to the House of Representatives of the Province of Pennsylvania.

"Gentlemen:

"In the Month of August, in the last year, Mr. Franklin delivered to us a Note or Billet intituled Heads of Complaint. When first delivered it was a blank Paper, neither dated, Signed, or addressed to any Person; but a few Days after he did sign it, and set a Date to it of the Twentieth of August.

"It appeared to us to be very short and general, and to allude to Sundry Transactions in Pennsylvania, which were to be sought for in your Votes, and without the aid whereof it was not possible to guess at the meaning of Mr. Franklin's Note.

"Whether such a Paper was delivered to him of his own Choice, or by direction, he best knows; but we believe it is the first of the

kind on any such great Occasion; and you will give us leave to acquaint you, that the importance of the matter, the preservation of Order and Decency between the Assembly and us, and the Necessity and usefulness of a free Intercourse between us and them, seemed to require a very different Representation.

"However, we overlooked that Piece of Disrespect, and applied ourselves to Select from all your Publick Votes and Transactions what we judged might be the intent and meaning of the said Paper; and as we found the most Material Parts thereof consisted of matters wherein the Powers of Government and the Rights and Prerogatives of the Crown (intrusted to us) were concerned, we thought it right, and so acquainted Mr. Franklin to take the Opinions and advice of his Majesty's Attorney and Sollicitor General thereon, that we might act with the greatest Caution and Security in matters of such great importance.

"At the Time Mr. Franklin delivered us his Paper, the Long vacation was begun, and the Lawyers gone into the Country; but the first Day the returned to Town we laid all those Matters before the Gentlemen for their Opinions, which were so long delayed by means of an obstruction given by one of your Agents, that we could not obtain the same for a whole Year (wanting eight days only) after the Papers had been laid before them.

"As soon as we had been advised by those Gentlemen, we returned our Answer in Writing, signed by our Agent, to Mr. Franklin; and now send you hereto annexed a Copy of the said Heads of Complaints, and our Answer thereto.

"We are always ready to receive Representations from the House of Representatives on any matter that requires redress. As to the Legal Rights of Government, or the Powers and Prerogatives of the Crown, we must support them as a duty which we owe to the Crown, to the Nation in General, and to the Inhabitants of the Province in particular.

"As to those matters which concern our Property, we have a right, and are so advised, to prevent any Injury being done thereto, and are not to be deterred from taking the necessary Care therein by those Misrepresentations of and unjust Charges against us, which have been repeatedly printed, and are even glanced at in the Heads of Complaint presented to us, as if we had refused to contribute a reasonable Proportion to the Defence of the Country; and Injury the greater, because those who uttered it knew that we had contributed a very considerable Sum to the Expence of the War, and, in the Opinion of many People, and from all the Information we can procure, more in proportion than any Person in the Province.

"As to any matters which may relate to yourselves, we are ready to receive the fullest Information, and also to enter into free Con-

ferences on all the Several Subjects with any Persons of Condour whom you shall Authorize and impower for that Purpose; which matter we the rather mention to you in regard that we having ordered to settle the Draught of a Supply Bill, which Mr. Franklin he excused himself from joining therein, as not having Power to enter into Terms with respect to that one Single Measure.

"We shall always be open to Representations and conviction, and we see no matters remaining but such as may, by the desirable Methods of free Conferences with Persons of Candour, and empowered for that Purpose, be well settled to mutual Satisfaction on both Sides, and to the Welfare and Happiness of the Province, which we have most affectionately at Heart.

"As Mr. Franklin's Paper contained an Expression of desire that Harmony might be restored between the Several Branches of the the Legislature, and we are certain you cannot wish it more ardently than we do, we choose to mention what appears to us to be the readiest, the easiest, and the most desirable Method of obtaining that happy End.

"THOMAS PENN.
"RICHARD PENN.

"London, November 28th, 1758."

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"*Heads of Complaints.*

"1st. That the reasonable and necessary Power given to Deputy Governors of Pennsylvania by the Royal Charter, Sections fourth and fifth, of making Laws, with the advice and Consent of the Assembly, for raising Money for the Safety of the Country and other Public uses, according to their best discretion, is taken away by proprietary Instructions, inforced by penal Bonds, and restraining the Deputy from the use of his best Discretion; tho', being on the Spot, he can better Judge of the Emergency, State, and Necessity of Affairs, than Proprietaries residing at a great distance, by means of which Restraints Sundry Sums of Money granted by the Assembly for the Defence of the Province have been rejected by the Deputy, to the great Injury of his Majesty's Service in Time of War, and Danger of the Loss of the Colony.

"2d. That the Indubitable Right of the Assembly to judge of the mode, measure, and Time of granting Supplies, is infringed by Instructions that enjoin the Deputy to refuse his assent to any Bill for raising Money, unless certain Modes, Measures, and Times, in Such Instructions directed, made a part of the Bill; whereby the Assembly, in time of War, are reduced to the necessity of either losing the Country to the Enemy, or giving up the Liberties of the People, and receiving Law from the Proprietary; and if they

should do the latter in the present Case, it would not prevent the former, the Restricting Instructions being such as that, if complied with, it is impossible to raise a Sum Sufficient to defend the Country.

"3d. That the Proprietaries have enjoined their Deputy by such Instructions to refuse his Assent to any Law for raising Money by a Tax, tho' ever so necessary for the Defence of the Country, unless the greatest part of their Estate is exempted from such Tax. This to the Assembly and People of Pennsylvania appears both unjust and Cruel.

"The Proprietaries are now requested seriously to Consider these Complaints, and redress the aggrievances complained of in the most speedy and effectual Manner, that Harmony may be restored between the Several Branches of the Legislature, and the Publick Service be hereafter readily and fully provided for.

"BENJAMIN FRANKLIN,
"Agent for the Province of Pennsylvania.
"London, August 20th, 1757."

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"Answer to the Heads of Complaint.

"The Proprietaries of Pennsylvania have well Considered the Paper laid before them, called 'Heads of Complaint.' They have also taken the best Advice they could procure upon the Same; and some Answer would have been given long since, had not one of the Agents prevented the Proprietaries from obtaining their Counsel's Opinion and advice thereon.

"The Proprietaries could have wished, in order to that Harmony which they most Sincerely desire, that the House of Representatives had sent some address, Representation, or memorial, pointing out clearly and distinctly any Grievances they thought themselves under; and that they had given as full Powers as the nature of such a Case would admit, to some person of Candour, to enter into the detail and full Discussion of those several Matters, which seem to be alluded to in the Heads of Complaint.

"Had those things been done, which the Proprietaries conceive to be the Common and ordinary Methods of proceeding in such Cases, may points might have been speedily adjusted to mutual Satisfaction, and particularly all such, wherein the Questions arise between the Proprietaries personally and the House of Representatives, in which Instances the House may assuredly rely on the utmost Indulgencies that can, with Justice or Reason, be desired.

"As to others wherein the Rights and Prerogatives of the Crown intrusted to the Proprietaries may be affected, it is hoped the House

would not for their own Sakes, desire the Proprietaries to attempt to give up any of those.

"It admits of observation, that the Heads of Complaint begin by transposing some parts of the Royal Charter, as if that had in explicit Terms, prescribed the discretion of the Assembly to be made use of in making Laws; the Proprietaries desire to be perfectly understood in this Matter, they do not so much as imagine but that the Representatives of the People will, and must use Discretion in choosing, whether they will, or will not give their advice and Assent to any Law, but the Charter (when read in its own Language) gives the Power to make Laws to the Proprietary and his Deputy or Lieutenant, according to their best Discretions (always with the advice and assent of the Representatives), and does not run in the terms set forth in the paper of Complaint.

"Persons not well inclined to Governors or Government, may, indeed, desire that all Matters whatsoever, should be left to the Discretion of a Lieutenant on the Spot, whom the House might supply or not, just as he should yield up that Discretion of his, more or less, to them; but as long as Instructions are constantly given to every Person entrusted with the Government of any British Colony (and Bonds also required from every such Person for Observance of such Instructions), as long as Instructions are constantly given to all Persons whatsoever, executing even the regal Government of His Majesty's Kingdoms during the Royal absence; as long as these Proprietaries are repeatedly Commanded by the Crown, upon the Nomination of each Successive Lieutenant Governor, to give Instructions to such Lieutenant, and as long as a Lieutenant Governor may by his Misbehaviour (if left entirely to his Discretion), bring the Proprietaries Estate and Franchise into Danger, so long the Proprietaries must contend to give Instructions to, and take Bonds from their Lieutenant Governor.

"The particular matters wherein a Lieutenant Governor should be instructed, make a very different Consideration, wherein the Proprietaries, and such Persons authorized as aforesaid, might surely put the same upon a reasonable Footing. The Proprietaries, however, cannot be of opinion, that their Instructions were such as would have made it impossible to have raised Sums Sufficient for the Defence of the Country, in addition to the Forces sent from Great Britain, supposing those Sums applied in a proper manner.

"The Proprietaries conceive that the last Paragraph of the Complaint is extremely injurious to them, and very unjust, as it insinuates, that they would not Contribute their Proportion to the Defence of the Province. It is true they did Instruct their Lieutenant Governor not to assent to any Law, by which their Quitrents should be taxed; this they did, because they thought it not proper to submit the Taxing their Chief rents due to them as Lords of the Fee, to the Representatives of their Tenants; but that there might

not be the least shadow of pretence for accusing them of Cruelty and Injustice, they ordered Five Thousand Pounds to be paid for the Publick Service, out of the arrears of that very Fund; and they leave it to the world to Judge, whether it was not unjust and cruel in the late Assemblies, to tax them with refusing to contribute, only because it was not done in the manner the Representatives of the People insisted on having it done. However, to take off all Pretence of Clamour, they are very ready to have the Annual Income of their Estate enquired into, and are as ready to contribute, whatever the said Sum shall fall short of, their Proportion of what had been laid on the Inhabitants in General, for every part of their Estate that is in its nature taxable; but as an equality is contended for, they do Expect, if they have contributed more than their Proportions, (which they believe they have very greatly), that the overplus should be returned to them; and as the House of Representatives Contend for their Right in disposing of their Property, and do not represent the Proprietaries, so the Proprietaries conceive, and are advised, they themselves, and they only, have a Right to Judge when, and how, to dispose of their Estates and Properties.

"The Heads of Complaint conclude well, with Expressions of a Desire that Harmony may be restored between the several Branches of the Legislature, and the Publick Service be provided for—Propositions most desirable, and which the Proprietaries most willingly embrace with open Arms and with open Hearts, the Rights and Powers of the Crown, and the Executive Part of Government being preserved, and the Proprietarie's reserving to themselves the Right of disposing of their Estate, there seems to be no such great Difference in Opinions as to other Matters, but what might be adjusted in a reasonable manner with cool temperate Persons, fully authorized for the purpose. Had such Power been lodged here it is possible many of the Seeming Differences would have been settled, but as the Agent, who delivered the Heads of Complaint, declined the settling here of the Draught of one single bill for raising a Supply on account of Want of Power so to do, as he alledged, The Proprietaries find themselves obliged to write to the House of Representatives, that in case they are so well and happily disposed they will forthwith Authorize and impower, in as good a Manner as the Case will admit, some Persons of Candour to enter into free Conferences, and adjust those other Matters in the most agreeable Manner, In which the Proprietaries assure the Representatives and all the good People of the Province they shall meet with the most Cordial and affectionate Concurrence of the Proprietaries as far as can, with Reason, be desired of them.

"FERDINAND JOHN PARIS,

"Agent for the Proprietaries of Pennsylvania.

"London, 27th Novem^r. 1758."

At a Council held at Philadelphia, Saturday, March the 3d, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettel, Richard Peters, } Esquires.

The Governor laid before the Council the following address delivered him last Night by Eight Members:

"May it Please your Honour:

"The Duty we owe to your Constituents, and the late great hardships imposed on them, put us under the disagreeable necessity of representing to your Honour,

"That a Considerable Part of the Waggons taken into the Pay of the Crown for the use of the last Campaign are destroyed, or left behind; that Numbers of the Pack Horses, as well as others belonging to the Waggons, are dead, or have been lost in the Service; that most of those returned were rendered in a great Measure useless, and that the Owners of such Waggons and Horses still remain unpaid, to their manifest Inconvenience and Loss, especially as some of them have been obliged to advance large Sums of Money to the Drivers they employed, and for other Purposes, in fitting out and equipping their Horses and Carriages, according to their respective Contracts.

"That notwithstanding the Laws lately enacted in this Province for Supplying his Majesty's Forces with Horses and Carriages, when and wherever required, yet both Officers and Soldiers have paid so little regard thereto, in the manner of procuring them, that some have terrified, abused, and Insulted the Inhabitants in divers parts of the Province, where they have been employed in this Service.

"That in Violation of a Possitive Act of Parliament for preventing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, several Sections of which have been extended hither by an Act of general Assembly, some of the Military Officers have attempted by Menaces and other illegal Methods to extort Billets from the Magistrates of the County and Borough of Lancaster for Quartering Soldiers on Private Houses, but failing of their Purpose have proceeded to open Violence, and thereby forced Numbers of his Majesty's Troops into the Dwelling Houses of the Inhabitants, taking their Beds and other Necessaries from them for the use of the Soldiers, by which means One Family, in particular, have been obliged to give up their own House, with its Furniture, and seek for Lodgings for themselves in the Houses of their Friends.

"We further take the Liberty to represent to your Honour that the distressed Inhabitants of Chester County, notwithstanding their

repeated Representations to the Assembly of this Province, and their Complaints against the Arbitrary, unjust, and illegal Conduct of William Moore, Esqr., One of the Magistrates of the said County, are yet subjected to his Power, by his being continued in a Commission which he has frequently exercised to the Terror and Oppression of the People.

"These Aggrievances, may it please your Honour, are so well known, and so great, that we cannot but expect you will use your utmost Endeavours to relieve the Inhabitants of this Province under your Administration with all possible Expedition, and we shall proceed in granting Supplies with the same Zeal and Unanimity we have hitherto done; and, according to our best Abilities, co-operate with and Second the large Expence and Extraordinary Succors granted by the British Parliament for Carrying on the Offensive Operations planned by His Majesty against His Enemies in North America.

"By the Letters your Honour has been pleased to lay before us, from One of His Majesty's principal Secretaries of State and General Amherst, it is Evident that no Time ought to be Lost, and we therefore again intreat your Honour, that in Discharge of the Duty you owe to the best of Kings, and to the People of this Province, over which you preside, you would speedily and effectually redress our Aggrievances to the utmost of your Power.

"Signed by order of the House.

"ISAAC NORRIS, Speaker.

"March 2d, 1759."

Upon Considering the said address, it was the Opinion of the Council, the Governor should send General Amherst a Copy of the Address, and desire his Excellency to advise his Honour what should be done; accordingly, the following Letter was drawn at the Table and Sent by Express to the General:

A Letter to General Amherst from Governor Denny.

"PHILADELPHIA, March 3d, 1759.

"Sir:

"Inclosed is a Copy of an address, presented to me by the Assembly, with regard to various grievances, which you will please to observe they insist should be redressed before they take the Supplies into Consideration.

"I have already sent you General Forbes' Letter to me, of the Thirtieth of November, in which, after giving the agreeable News of the reduction of Fort Duquesne; he makes a Demand of Quarters, and now sent you an Extract of my Letter in Answer thereto, that you may be acquainted with the Places capable of receiving the King's Troops in a commodious manner.

"The Waggon Account, after General Braddock's Defeat, was settled by Gentlemen Commissioned by the Governor, at the Special Instance of General Shirley, and informed they settled that intricate matter impartially, and saved the Crown a large Sum of Money. If you approve of that method, or any other you please to name, it shall be followed, as far as concerns me, with all possible Expedition.

"I also send a Copy of a Letter of mine to General Forbes, to desire him to reinforce the Garrison at Fort Augusta, which I think is an Affair of great Importance, that requires immediate Attention.

"Colonel Boquet inform me that General Forbes promised to relieve the Several Garrisons on the Frontiers, and if they are not the Consequence will be that they will not be able to serve the next Campaign, especially the Provincials, who are neither paid nor cloathed.

"According to the Advices of the Indians now here, it is to be feared that the French and their Indians will attack Fort Duquesne as soon as the River is clear of Ice, having their Magazines ready at Kuskusky, and Places adjacent, from whence your Excellency will see the Necessity of an immediate Reinforcement of the Garrison at Pittsburgh, that not being able to stand a regular attack.

"As Carriages will be immediately wanted for the Support of the Troops there, I can assure you, that Such are in general the narrow Circumstances of the Country People, who are to Supply Waggons, that none can be got till former Accounts are discharged.

"General Forbes continues in a languishing Condition, and neither is, or will be able to do any Business. Affairs are in such a Situation that I could Wish it was Convenient for your Excellency to Visit this place. If you cannot, please to send me your Orders and enable me to give an Answer to the Address by the return of the Express. I have the Honour to be your Excellency's

"Most Obedient & most Humᵉ. Servant,

"WILLIAM DENNY."

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MEMORANDUM.

On the Seventh, Two Members waited on the Governor from the House, with a Message that the House desired to know his Honour's Result upon their Address to him, delivered last Friday; to which his Honour was pleased to say, that he had sent a Copy thereof to General Amherst by Express, and as soon as he should receive his Excellency's Answer, which his Honour thought would be soon, he would send a Message to the House.

At a Council held at Philadelphia, Saturday, March 10th, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Robert Strettell, Richard Peters, Esquires.

The following Extract of a Letter from General Amherst to the Governor was read in these Words:

"NEW YORK, March 7th, 1759.

"Sir:

"With your Letter of the third Instant, I also had a Copy of the Address presented to you by the Assembly with regard to various Grievances, which they expect should be redressed, before they take the Supplies into Consideration.

"I must own, from what they owe to the best of Kings, to their County, and to themselves, I did not expect they would have started any Difficulties at this present important Crisis; but, on the Contrary, that as it is their Duty they would have most chearfully proceeded on the Business so strongly recommended to them in Mr. Pitt's Letter, more especially, as Part of those Grievances are caused thro' the unhappy Indisposition of Brigadier Forbes (which could not be fore seen or prevented), who, had he been capacitated to attend Business, would, no doubt, have redressed them long ago, which under the present Circumstances, I intend doing myself so soon as I can get to Philadelphia, which will be in a few days. Meanwhile, I shall write to Sir John St. Clair to call in all the Accounts, and have them prepared for Examination, that no Time may be lost in clearing and settling them, upon which Assurances I trust they will no longer delay taking the Supplies into Consideration.

"With regard to their Complaint against the Officers and Soldiers having been wanting in a due Regard to the Laws enacted for Supplying His Majesty's Forces with Horses and Carriages, and Quartering of the Troops, I must observe, that I believe they have themselves mistaken the Extent of those Laws; for it is not to be supposed that either the Officers or Soldiers would apply for more Carriages and Horses than the Service absolutely required, and where they could not obtain such upon a proper application, it was certainly their Duty, and incumbent on them, for the Good of the Service, to impress them; And as to the Quartering of Soldiers on private Houses, that cannot either be avoided where there are not Publick Ones Sufficient for the Reception & proper Accomodation of the Troops, which, I dare say, was the Case at Lancaster. If, therefore, the Magistrates refused them Billets, they could not do less than make their Quarters good, which is an old Practice wherever the seat of War lies. Nay, even in England, in case of a deficiency

of Publick Houses in the Country where is the Seat of the Chancellors, he would have Soldiers billetted on him; and he has himself given it as his Opinion that it was legal so to do; and indeed how would it be possible to carry on the Service if such Provision was not made for the Troops, who, in default thereof, must perish in the Strects, and consequently be disabled from Answering the Ends they were raised for, all which speaks for itself. At the Same Time I would not have the Assembly believe that I mean to refuse them Justice, or to Screen the Troops, if they are guilty of any irregularities. On the Contrary, upon proper proof of such, I shall take Cognizance of it, and order them all the Satisfaction they may have a Right to Expect.

"I agree with you in the importance of having a Garrison at Fort Augusta, but as that Garrison, as well as all the others upon the Frontiers of your Province, have constantly been garrisoned by provincial Troops, I shall expect that you will Garrison it with those of Pennsylvania, and that your Assembly will now out of hand remove the objection, that they will not be able to Serve the next Campaign, by reason of their being neither paid or clothed."

Then the following Message was prepared and sent by the Secretary to the House, with a Copy of the Governor's Letter to General Amherst, and his Excellency's Answer:

A Message from the Governor to the Assembly.

"Gentlemen:

"I lay before you a Copy of my Letter to General Amherst, in Consequence of your Address, and his Excellency's Answer, which I dare say will be agreeable to you, and I hope you will loose no more time in taking the Supplies into your Consideration.

"WILLIAM DENNY.

"March 10th, 1759."

A Recommendation, Signed by the Indian Commissioners, was presented to the Governor, wherein three Persons were nominated by them to his Honour as Suitable for Agents on the West Side of Susquehannah, the same being read, the Governor was pleased to prefer George Allen to the two others named in the Recommendation, and he was Commissionated as Indian Agent in the Room of Robert Tuckness, who had resigned.

A Letter from Chief Justice Holt was read, with some Depositions respecting the Murder of the Under Sheriff of Worcester County, in Maryland.

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MEMORANDUM.

On the Thirteenth, Two Members of Assembly waited on the Governor with a Message that the House requested his Honour

would be pleased to furnish them with an Estimate of the Pay that hath accrued to the Provincial Forces since the first of January, which the Governor promised should be prepared and laid before the House.

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MEMORANDUM.

On the Fifteenth, the Secretary waited on the Speaker, and acquainted him that Orders had been given to the Paymaster to prepare an Estimate of Arrears due to the Forces from the first of January, and to deliver the Same to the House, which follows in these Words:

"*Estimate of Arrears due to the Pennsylvania Forces, from the first of January to the first of March,* 1749, *Viz*^{t}*:*

	£	s	d
"25 Companies Pay for two Months,	£7,537	10	0
"2 Colonels, at fourteen Shillings ℔ Day, for two Months,	84	0	0
"2 Lieutenant Colonels, at Seven Shillings ℔ Day,	42	0	0
"2 Majors, at five Shillings ℔ Ditto,	30	0	0
"2 Quarter Masters, at four Shillings ℔ Ditto,	24	0	0
"2 Adjutants, at Two Shillings ℔ Ditto,	12	0	0
"2 Chaplains, at Six Shillings and Eight Pence ℔ Ditto,	40	0	0
"2 Surgeons, at Seven Shillings and Six Pence ℔ Ditto,	45	0	0
"1 Surgeon at Fort Augusta, at Seven Shillings and Six Pence,	22	10	0
"1 Commissary of Store at Fort Augusta, Ten Shillings ℔ Ditto,	30	0	0
	£7,867	0	0

"JAMES YOUNG, Paymaster.

"Philadelphia, March 15th, 1729."

And on the Same Day, Mr. Moore, Clerk of Assembly, delivered the Governor the following Resolve of the House, relating to William Moore, Esquire, of Chester County:

"*Resolved*, That as the Governor hath not been pleased to give any redress to, or even take Notice of an Aggrievance complained of in the Address lately presented to him by the Assembly, under which the Inhabitants of Chester County have long suffered from his Continuance of William Moore in Commission as a Magistrate amongst them, the House will remonstrate to his Honour, at some more convenient Time, upon so manifest a Delay of that Justice and Protection which he has power to afford, and undoubtedly owes to the oppressed Inhabitants of the said County.

"CHARLES MOORE, Clk. of Assembly."

At a Council held at Philadelphia, Monday the 19th of March, 1759, P. M.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor.

Robert Strettell, Richard Peters, Thomas Cadwalader, Joseph Turner, Lynford Lardner, } Esquires.

A Letter from Secretary Pitt, of the Twenty-Ninth of December last, which came by the Packet that arrived, that arrived last Week at New York, was read in these Words:

"WHITEHALL, 29th December, 1758.

"Sir:

"In transmitting to you the inclosed Duplicate of my letter of the Ninth Instant, I have the King's particular Commands to renew and enforce, in the strongest manner, the necessity of a punctual Compliance with the Orders therein contained, and you will accordingly urge, in the most expressive terms, to the Council and Assembly of your Province the Importance of their exerting themselves in the present critical and decisive Moment, in which their own Interests and Security are so nearly concerned, that it would seem superfluous to add. The further motives of their Duty to the King, and of the gratitude they owe to this Country, for the very great Expence and Succours supplied for their immediate Defence, and for the future safety of all their Rights and Possessions in America, And the levying the Men to be furnished by the Several Provinces, without any Delay, and in such time that they may not fail to be at the Rendezvous that shall be appointed for them, so as to be ready to Commence the Operations by the first of May, is so essential, as well for preventing the Extraordinary Efforts, which it is supposed the Enemy is preparing to make, to stop the further progress of his Majesty's Arms in America as for pushing with Success the Ensuing Campaign; that it is the King's Pleasure that you do employ the utmost Diligence, and every means in your Power to forward and Expedite this Service in the most Effectual Manner, and to avoid any disappointment happening from the slowness of the Levies, or from the Men who shall be raised, not proceeding in due Time to the Rendezvous. With regard to the Expences incurred by your Province for the last Campaign, I am further to acquaint you that as soon as the Agents of the respective Provinces, duly authorized, shall produce the necessary Documents, the same without delay be recommended to Parliament for a reasonable Compensation, agreeable to the Gracious Assurances

which the King was pleased to allow me to give in my Letter of the Thirtieth of December, last year.

"I am, Sir, Your most Humble Servt.,
"W. PITT."

Two Letters from Admiral Durell, of the Fourteenth of February last, were read and ordered to be entered.

A Letter from Admiral Durell to Governor Denny.

"PRINCESS AMELIA, Halifax Harbor, 14th Feby., 1759.

"Sir:

"Herewith inclosed is a Letter I have wrote to your Honour and the Council of Pennsylvania, in hopes thereby to procure some Men for His Majesty's Service. If you should prevail in this matter, you will be pleased to appoint some Person to Pay the promised Bounty, and I will send Bills on the Navy Board for the Amount.

"And also if no other way can be found to transport them to this place, desire that Passages, &c[a]. may be provided for them, which Expence shall be defrayed by Mr. Joseph Gerrish, the Naval Officer at this Port.

"I am, with great respect, Sir,
"Your most Obed[t]. Hum[e]. Servant,
"PHI. DURELL."

—

Another Letter from Admiral Durell to Governor Denny.

"PRINCESS AMELIA, Halifax Harbor, 14th Feby., 1759.

"Honourable Sirs:

"As the equipping and compleatly Manning the Squdron under my command, so as to be ready for Service in the Spring, may be of the utmost Consequence to his Majesty's interest in general, and particularly to these, his Colonies; And as by Death, and some Desertion, we have lost a considerable number of men since our being here, which requires to be recruited by a Supply of Seamen, if possible to be got; If not, I shall be obliged to apply for Soldiers from some of the Regiments serving here, which I am apprehensive might Prove detrimental to the Operations by Land the ensuing Campaign. I therefore think it most conducive to the Good of the Service to make application to His Majesty's Governors and Councils of the Different Provinces for their Assistance in raising such a Number of Seaman as they conveniently can, in such manner as will be most agreeable to their Several Governments.

"And as I am sure the Governor and Council of the Province of Pennsylvania has His Majesty's Interest much at heart, am sati[s]

fied every thing in their Power will be done to forward this Service. On my Part, as an Encouragement, I promise that every able bodied Seaman who shall enlist to serve in His Majesty's squadron for the Term of Twelve Months or more, shall receive immediately Forty Shillings Sterling Bounty, and be punctuallye discharged at the Expiration of the Term inlisted for; And further, that theye shall not be carried either to Europe or the West Indias, but shall be discharged in some one of the Northern Colonies.

"I am with great regard, Honourable Sirs,

"Your Most Obed^{t} Hum^{e} Servant,

"PHIL. DURELL."

The following Letter from Governor Dobbs to the Governor, was read:

"Sir:

"As I am informed that the Merchants of Britain design to Petition the Parliament this Ensuing Session, to lay open the Hudson's Bay Trade, and get rid of that unjust monopoly, so prejudicial to the Merchants in general, and the Trade of Britain and the American Colonies, by preventing our Settling the Countries beyond that Bay, and extending fur Trade and Fisheries, This being a proper Time, while we have a Ministry Zealous to promote the British Commerce and Improvement of our American Colonies.

"Having been informed that upon the former applications of the Merchants against the Hudson's Bay Company's Monoply, that the Northern American Colonies, if they had early notice, would have given Orders to their Agents to join the Merchants in their Petition. I think it my Duty to improve a Measure so beneficial to Britain and the Colonies by acquainting you with it, to have the sense of your Colony upon it, that if they approve of it they may add their Weight to the Merchants' Petition, in Case they find it proper to petition this Session.

"I am, with great Esteem, Sir,

"Your Excellency's most Ob^{t} Hum^{e} Ser^{t},

"ARTHUR DOBBS.

"Edenton, 7th December, 1758."

Then was read the following Letter from Captain Campbell, Commander of the Nightingale Man-of-War:

"NIGHTINGALE, Turtle Bay, New York, 16th March, 1759.

"Sir:

"I am to acquaint you that I have just received a Letter from Admiral Durell, Commander-in-Chief of his Majesty's Ships and Vessels in North America, informing me that he has wrote to the several Governors and Councils on the Continent, in hopes thereby to get some Seamen to compleat his Majesty's Ships at Halifax,

and directing me to write to those near me on the same subject, to know whether his proposals have been agreeable to them; and if I received any Encouragement to expect they will raise any Number, I am ordered by the Admiral to receive them on board the Nightingale. I am, therefore, to beg that your Honour and the Council will report to me your resolutions with regard to the Admiral's proposals.

"I am your Honour's and the Council's

"Most Obedient Humble Servant,

"JAMES CAMPBELL."

The Governor proposed Mr. John Moland for a Member of Council, and all the Members said he was agreeable to them and would make a good Member.

The Secretary was directed to draw up a Proper Message upon the Several Matters mentioned in the said Letters, and the following Message was agreed to at the Table, and the Secretary ordered to deliver it to the House to-morrow morning with the foregoing Letters:

A Message from the Governor to the Assembly.

"Gentlemen:

"I lay before you a Letter from Secretary Pitt, of the Twenty-Ninth of December last, communicating His Majesty's Commands to renew and enforce in the Strongest Manner the Necessity of a punctual Compliance with his last orders, which have for some time been under your Consideration, and again assuring you that as soon as the Agents of the respective Provinces, duly authorized, shall produce the necessary documents, the same shall, without Delay, be recommended to Parliament for a reasonable Compensation.

"I make no doubt but you will now use your utmost Dispatch in raising the Supplies, especially as the Season is so far advanced, and the time very near that was appointed by General Amherst for the Forces to be ready.

"It cannot be expected that the recruits will be raised in Time, unless you give as large Bounty as other Provinces have done.

"I likewise lay before you Admiral Durell's Letter from Halifax, of the Fourteenth Instant, wherein he informs me of his having lost a great many men by Death and Desertion, and desiring my assistance, which I hope you will enable me to afford him, in raising a sufficient Number of Seamen to Man the Squadron under his Command, which will be of the utmost Consequence to his Majesty's Interest in General, and particularly to these Colonies.

"Governor Dobbs having received an Account that Application will be made to lay open the Hudson Bay Trade, has wrote a Letter to me on that Subject, which you will please to consider, and favour me with your Opinion upon it.

"WILLIAM DENNY.

"March 20th, 1759."

The Governor informed the Council that Isaac Stille was returned from the Ohio, and last from Pittsburgh, where he had accompanied some of the principal Indians, and they had held Conferences with Colonel Mercer, Commanding Officer, who had inclosed them in a Letter to his Honour of the Eighth of January last, which were read in these Words:

A Letter to Governor Denny from Colonel Mercer.

"Pittsburg, 8th January 1759.

"Sir:

"When my Battalion marched from Fort Ligonier to be disbanded at the End of the Campaign, I did myself the honour of writing you by Ensign Warmsdarff.

"Soon after this General Forbes thought Proper to appoint me to take the Command of what Troops were left on the Ohio. What discoveries of the Enemies' Designs and Temper of the Indians this Station may afford me, I shall think it my Duty to communicate to your Honour.

"The Intelligence I have from every Quarter makes it Evident that the French have not yet lost hopes of securing a Post here. They are extremely Busy in Collecting their Over Lake Indians and propose assembling them near to Kuskusky. For this Purpose they are now forming a Magazine of Arms and provisions near that place.

"They have yet many friends among the Delawares and Shawanees, as appears by our not receiving the least Information of this Design, tho' it is formed in the Heart of the Delaware Country, and these Scoundrels come in Shoals every Day, to live upon us, pretending the utmost Friendship. They have indeed alarmed us with an Account of a Formidable Body of French being at Venango, and making preparations to fall down from thence upon us. This we find to be false, as the Deputies of the Six Nations, who are just come from thence, saw but a very inconsiderable Garrison there.

"The minutes of some Conferences held with these Deputies, I have enclosed for your Honour's perusal. The Chiefs of the Six Nations come here to Suppiclate a powerfull Aid from the English. They appear to be under the greatest Anxiety least we should abandon this country, for a very powerful Confederacy of the Over Lake Indians are set on by the French to cut them off as allies to the English, and should the Delawares and Shawanese join in this Confederacy, as the Six Nations apprehend, their Ruin would soon be compleated. Two of their Chiefs go from hence to wait on the General, in hopes he will immediately enter upon the most Vigorous Measures for driving the Enemy intirely off from this country.

"There is a great Demand for Indian Goods. I have refused great Quantities of Skins and Furs; a fair Trade Cannot be too soon begun. The General has, on my Remonstrances, ordered up a Reinforcement of Men to secure this Post, so that what Goods may be sent will be in no danger of falling into the Enemy's Hands.

"This Garrison consists of Two Hundred and Eighty; the Works are now capable of some Defence, tho' huddled up in a very hasty manner, the Weather being Extremely Severe.

"I am, Sir, Your Honour's most Obed^{t} Hum^{e} Servt,

"HUGH MERCER."

Minutes of Conferences held at Pittsburg with the Indians.

January the Third, in the Evening, arrived two Indian Runners, with a Stringe of Black and white Wampum, signifying to me that Nine Chiefs of the Six Nations, Shawanese, and Delawares, from a Town up the Ohio, about One Hundred miles above Venango, near the Beucaleonce, would be here to-morrow with Forty of their Attendance. Accordingly, the fourth, in the Evening, they arrived. One of them producing Six Strings of Wampum, told us that he came from Weayough, the King, or great Chief of Kannawaago; that these Men were his Counsellors. Then taking the String, he proceeded:

"Brothers:

"The Cloud that was before our Eyes is now removed, and we see Clearly. Our Ears are opened, and we are ready to hear what you say; and every ill thing that was in our Hearts is now removed, and we come in Friendship to see you. I give this String in Behalf of the Six Nations, Shawanese, and Delawares."

Next Morning the following Chiefs being present with the Commanding Officer and Captains Waggener and Ward, Viz^{t}:

Cannewaungh,
Sagowinne,
Awinne Onus,
Sonoyeyough,
Qwistogah, or Captain Peter.
Teeanushategh,
Occondenagh, the Chief Counsellor,
Acquialinguish,
Canigaatt, the White Mingo.
Snake's Son, Interpreter in Shawanee,
Jo. Hickman, Interpreter in English.

The Speaker taking out Five Strings of Wampum said, "our King and great men at Canawaago heard that their Friends, the English and Delawares, had talked together, and we are come to see and talk with you likewise. We are sorry that we cannot understand one another, but as much as we can make plain to you we will let you know. The Delawares told us that they and their Brothers, the English, had become acquainted, and had shaken Hands here, and we are come from our Town to become acquainted with and shake Hands with our Brothers likewise. We represent three Nations—The Six Nations, Shawanese, and Delawares. We desire to know of you what the English said to the Delawares when you first came here."

The Sixth, in the forenoon, the Officers of the Garrison and the above named Chiefs, and a good many other Indians being present, the Commanding Officer presented them with Six Strings of Wampum, telling them that they were welcome; that he was glad that they could see one another with Chearful Faces, and unite their Hands and Hearts so firmly as never to be Separated any more. Then he related to them the Substance of what Colonel Bouquet had delivered in this Treaty with the Delawares here, as far as it could be collected from one of the Delawares, Viz^{t}: Kakauscung, who was present at the Treaty. The Chiefs than said they would speak to-morrow whatever they had further to say.

In the Evening of the same Day Five of the head Counsellors, all of the Six Nations, came privately to the Commanding Officer's Tent, who being present, with Captain Ward, was informed by them they were to unbosom themselves, and freely open their minds to us; that what they had to say was all for our good, but it is to be kept private from the Delawares and Shawanese; then taking out Eight Strings of Wampum proceeded:

"Brothers:

"The Delawares and Shawanese are not yet to be depended upon. They may tell whatever they know to the French.

"Brothers:

"I am glad that we are of one mind—that we have joined Hands. This Wampum is to assure you that my Heart is become one with yours, therefore be strong and be assured of my Friendship."

Gave Eight Strings of Wampum.

"Brothers:

"I have listned attentively to your words; they are good, they are gone down into my Heart, and are not to be removed. I return you thanks for them by this String."

Gave Six Strings.

"Brothers:

"Take good head to what we are to say; it is of the greatest importance, therefore Listen and be attentive.

"Brothers:

"Listen, I am hard put to it, the French are but a little way beyond my Town, perhaps they may come and kill me; I don't know how soon they may strike me.

"Brothers:

"Be strong, now is the time to drive them from this Country; tell your Great Man to be strong and come and fight them, that we may live in Peace as formerly. The French will talk to the Tauways and their other Indians and set them on. They are so nigh that one of them sits on my shoulders and the other on my arm; but

be strong, let your Men come soon and fight strong, for the French are not many. Write to the great Man, he must be attentive and Strong; he must run and bring a great Body with him, otherwise both you and us will be killed; a few men won't do, for there are many Indians now in their Town.

"Brothers:

"Listen to these words; they come from the Bottom of my Heart; we expect you will take Notice of them, and not disregard our words, as you have done formerly.

"Brothers:

"Come immediately with a great many men, otherwise these will be the last words we shall speak, for both you and we shall be killed."

Gave Six Strings.

"Brothers:

"The French say they have a House with Provisions stored up, and arms deposited at Kuskusky; they give out that they will soon be here, and say that you are bringing Flour and Meat to this Place, which will soon be their's. What we say comes from our Hearts. Be strong; they will be here in One Month, Perhaps in less. Do not lose a minute, for when you are Struck, we shall certainly be so too."

Gave Five Strings.

Then taking up a long Belt he proceeded:

"Brothers:

"This Belt the French sent to invite me to come from my Town to Venango, and on my coming he said the English are come to Ohio; go and discharge them from living here; tell them to be gone.

"Brothers:

"I took the Belt to bring it here and tell you, but not a Word of it has entered my Lips; the Words it contain do not Concern me; I regard them not.

"Brothers:

"To-morrow I will talk of this before the Delawares and Shawanese; you are not to mind what is said then, for it is out side of my Lips, but what is now said be attentive to, for it comes from my Heart.

"Brothers:

"To-morrow I will give you that Belt, to return home to your own Country, but you are to return it back to me, and tell me at the same time that you are resolved to stay here and fight the French till they are drove off from this Country."

The Seventh, in the afternoon, the Officers of the Garrison, and a good many Indians, one of the Chiefs of the Six Nations, taking out a Belt of Wampum, said: "We heard the English say when they came here that they came with an intent to Kill the French here, or to drive them away; and that as soon as the English had killed or drove off the French, they would return back to their Own Country.

"Brothers:

"Your great Man said that as soon as the French was drove entirely away from their Country, he would Send and invite, and bring all Sorts of Nations of Indians to this place, and there would establish a Strong and lasting Peace and Friendship with all the Indians, and as soon as he had done this he would return home.

"Brothers:

"We met yesterday and talked together in this place. The Six Nations, Delawares and Shawanese then join in a Strong Friendship with you, and now they say you must leave their place and go home, and when you are at home provide goods to send to Trade with us."

Delivered the Belt.

Colonel Mercer answered:

"Brothers:

"The great Man told you that when he had drove the French intirely out of this Country, he would then send for all the Indians and make a lasting Peace and Friendship with them, and afterwards go home.

"Brothers:

"The French are not gone from this Country; they are just at our Door and give out that they will soon return to this Place. Our great Man's Words are true; as soon as the French are gone he will make a Treaty with all the Indians and then go home, but the French are still here.

"Brothers:

"We know the French better than you do; should we go now they would return immediately; our great Man has ordered me to stay here. If the French should come I will be strong and make them run away once more.

"Brothers:

"When the French came here they made us quarrel with our good old Friends, and by so doing they have hurt both you and us; your Brothers, the English, are a great People, their Eyes are now opened, and while the Sun shines and the Rivers run, we will never suffer a French Man to sit here.

"Brothers:

"I return you this Belt; what you have now said must be told to General Forbes; if you have a mind to Send this Belt to him, I will send one along with you."

The Six Nation Chief said:

"Brothers:

"Listen and be attentive to what I say. I am sorry that you have returned the Belt which I gave you, but if you will give me one Cagg of Rum I shall feel perfectly well again."

HUGH MERCER.

Isaac Stille informed the Governor that the Indians in Conversation told him they expected another Message from their Brethren, the English, to Fix the Time of meeting, and he thought the Message ought to be sent off immediately. The Secretary was desired to prepare a Message to the House on the Occasion.

At a Council held at Philadelphia, Friday the 23d of March, 1759.

PRESENT:

The Honourable WILLAM DENNY, Esqr Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	Richard Peters,	
Lynford Lardner,	Benjamin Chew,	
Thomas Cadwalader,		

Two Members yesterday waited on the Governor, requesting he would be pleased to lay before the House Copies of such Conferences held by himself with the Indians in our Alliance, as well as those held with them by the late General Forbes; and the Secretary was directed to deliver to the House a Copy of Frederick Post's Journal on a Message to the Ohio, and Copies of all Conferences held with the Indians by himself and General Forbes since the Treaty at Easton in October last, which was done accordingly.

The Governor informed the Council that Two Members of Assembly had waited on him yesterday Evening, with a Message from the House, desiring him to be pleased to let them know who was appointed to the Command in this and the Southern Provinces; that they were alarmed with a Report, which generally prevailed, that Colonel Byrd, of Virginia, was come from New York, and was to command the Army on the Western Frontiers; in which case they were apprehensive that it would be of no service to grant Supplies, as no one would enlist, and the Indians would take Umbrage at Seeing a Virginia Colonel in the Command at Pittsburg. The Governor answered that he had received no account from General Amherst relative to the Command, but expected Brigadier General Stanwix every Day. That this Morning Two Members of the House were again sent by the House, to inform him they were so very uneasy at hearing that Colonel Byrd was to Command, that

they were inclinable to Represent Matters to General Amherst, and desired to know if his Honour would join with them in the Representation, and if so, that one or more members of Council and Assembly might be despatched forthwith to go to New York with the Representation. That they proposed making no mention of this matter in their Votes, but acting in it Privately, that no Umbrage might be given to General Amherst.

On this Request the Governor said he called the Council, and desired to know their Sentiments upon it; and as they were deliberating thereupon, the Servant came to acquaint the Governor that General Stanwix was come to Town, and soon after the following Letter was sent to the Governor, which put an End to their Deliberations, and the Secretary was directed to carry it to the House:

A Letter from General Amherst to Governor Denny.

"New York, March 18th, 1759.

"Sir:

"It having become Necessary, by the Demise of Brigadier General Forbes, that an Officer of Rank and Experience should, without Loss of Time, proceed to Pennsylvania, to take on him the Command of His Majesty's regular Troops, and those to be raised by the Southern Provinces, to act in Conjunction for the Security and Defence of those Provinces, or otherwise as Opportunity shall Offer, or the Exigencies may require, I have thought it for the good of His Majesty's Service to appoint Brigadier General Stanwix to that Command, and he does accordingly set out to-morrow for Philadelphia, to take upon him the Same. I am, therefore, to request of you that during such, his Command, you will, upon every Emergency, correspond and Co-operate with him in the same Manner as you are enjoined by Mr. Secretary Pitt's Letter to do with me, which must prove of great Benefit to the Publick Service, as from any removal from hence into the Back Country, whither I may be called soon, it might prove very prejudicial to the safety and Security of the Southern Provinces, to Wait for the Answers to any of those Letters you may have occasion to write to me in relation thereto; and I have accordingly directed Brigadier General Stanwix to Correspond and Co-operate with you in like manner.

"I have further desired Brigadier General Stanwix immediately to call in all the out-Standing Accounts of last Campaign, and to cause them to be settled and satisfied in such a Manner that neither the Inhabitants nor the Crown may be Sufferers.

"As this step might sufficiently evince the desire I have of doing the Inhabitants of Pennsylvania all the Justice that lies in my Power, I dare trust they will no longer be so blind to their own Interest as to defer granting the necessary Supplies for the raising and maintaining the Body of Troops that it is expected they will furnish for the Operations of the ensuing Campaign.

"Brigadier General Stanwix will likewise consult you in regard to Indian Affairs, and do his utmost in settling everything to their Satisfaction and His Majesty's Indian Interest, In which I must beg of you to give him all the Assistance he may stand in Need of, and to furnish him with all the Lights you are capable of from your experience in those matters.

"I am, with great regard, Sir,
"your most Obedient Hum^{e} Servant,
"JEFF. AMHERST."

At a Council held at Philadelphia, Monday the 26th of March, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governer.

Robert Strettell,	Joseph Turner,	Esquires.
Richard Peters,	Lynford Lardner,	
Benjamin Chew,	Thomas Cadwalader,	

The Governor laid before the Council a Bill intituled "An Act for granting to His Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the manner hereinafter directed, and for providing a Fund for sinking the said Bills of Credit, by a Tax on all Estates, real and Personal, and Taxables within this Province," presented to his Honour by Two Members last Saturday for his Concurrence, which was read; and the Governor desired it might be immediately taken into consideration, it was again read Paragraph by Paragraph. The Secretary acquainted the Council, that he had, at the beginning of the Sessions, delivered a Message from the Proprietaries to the Assembly, respecting their Taxation, and reminded the Governor of the Proprietaries' Letter to his Honour of the Twenty-Eighth of January, 1758, which was formerly read in Council, wherein, after Several Conferences with Mr. Franklin, the Matter was so far agreed to as that the Proprietaries consented that the Governor might give his Assent to such a Law as passed the preceding year, and it was taken for granted that there would be the like Bills passed till the matters in Difference between the Proprietaries and the Assembly could be finally adjusted.

The Proprietaries' Message to the Assembly of the Twenty-Eighth of November, 1758, And the Papers inclosed, vizt: Heads of Complaints by Benjamin Franklin, and Mr. Paris' Answer to it, entered in Minutes of Council of the Twenty-Sixth of February last were read. Mr. Franklin's Letter on receiving the Answer was now likewise read, ordered to be entered, and follows in these Words:

"Gentlemen:

"I yesterday received a Paper from Mr. Paris, containing your Answer to the Heads of Complaint, wherein I am informed that the Proprietaries, to take off all pretence of Clamour, are very ready to have the annual Income of their Estate enquired into, and are ready to contribute whatever the said sum [Viz^t: Five thousand Pounds, by them formerly ordered to be paid] shall fall short of their proportion of what has been laid on the Inhabitants in general, for every part of their Estate that is in its nature Taxable; but as an Equality is contended for, they do expect, if they have contributed more than the Proportions (which they believe they have very greatly), that the Overplus shall be returned to them. And as the House of Representatives contend for their Right in disposing of their Property, and do not represent the Proprietaries, so the Proprietaries conceive, and are advised, they themselves, and they only, have a Right to Judge when and how to dispose of their Estates and Properties.

"As the Money granted last year is probably expended before this Time, and a New Supply Bill must come under Consideration in the Ensuing Winter Session, it seems necessary for preventing Delays prejudicial to His Majesty's Service, that this proposal should be clearly understood by the Assembly. I therefore beg to be informed more explicitely of the following particulars:

"First. In what Manner you are willing the annual Income of your Estate should be enquired into, and whether you will consent to a Law that shall direct such enquiry, and the mode of it.

"Secondly. What parts of your Estate you look upon to be in their Nature Taxable, and what parts not Taxable.

"Thirdly. Whether the proportion you propose to Contribute is to relate only to the Taxes that have been heretofore laid on the Inhabitants, and the Sums already raised and spent, or to those also that shall hereafter be found necessary to be laid and raised for the Defence of the Province in the ensuing and future years.

"Fourthly. Whether it is proposed that the Assembly for the future do dispose of what the People pay for His Majesty's Service and the Proprietaries separately dispose of their Proportion, and that otherwise they will not contribute; or what is the plain Intention of those Expressions that relate to the Disposition of the Money.

"As a Ship is just departing for Pennsylvania, I request as speedy an Answer as may be to these Points, they being of immediate Importance. The rest of the Matters contained in the Paper may be considered at another Time. Meanwhile, with due respect,

"I am, Gentlemen,

"Your most obed^t and most hum^e. Servt

"B. FRANKLIN,

"Agent for the Assembly of Pennsylvania."

"LONDON, Novr. 28th, 1758."

Several Observations were made upon the Obscurity of the Bill in many Essential Parts, and upon the Confusion arising from the Multitude References to former Tax Acts. Instructions were given to Mr. Chew and Mr. Peters to amend the Bill, and to Draught a Message, making therein an Offer of the Quit-Rents and appropriate Tracts, to be taxed on a fair and equal Taxation, and that a seperate Bill be prepared for that purpose.

The Governor laid before the Board a Petition Frederick Post had presented to him, setting forth his desire of going with some others of the Unitas Fratrum on the other side of the Allegheny Mountains, in the Service of the Gospel among the Indians, and praying His Honour to grant them Letters of Passport. The Council expressed a great Regard for Mr. Post, and agreed unanimously to grant his Petition.

MEMORANDUM.

On the Twenty-Eighth Mr. Croghan, in Conference with the Governor, gave it as his Opinion, that there should no invitation be sent fixing the Time of meeting for the Ohio Indians. If any further Invitation was necessary, it should be general, intimating that we expected to see them, and leave the particular time to themselves, not knowing what time would suit the Indians who were so far distant One from another. Mr. Croghan said further, that the Indians in Town were exceeding uneasy, and desired an Audience of General Stanwix, on which the Governor wrote a Letter to the General, desiring him to give the Indians an Audience, and to make them presents to their Satisfaction.

At a Council held at Philadelphia, Thursday the 29th of March, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell, Lynford Lardner,
Joseph Turner, Thomas Cadwalader, } Esquires.
Richard Peters,

The Amendments, and the Governor's Message to the Assembly, respecting the Supply Bill, were read, agreed to, and ordered to be entered, and the Secretary was directed to deliver them to the House this afternoon.

Amendments to the Bill intituled "An Act for granting to His Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit, in the manner herein after directed,

and for providing a Fund for sinking the said Bills of Credit by a Tax on all Estates, real and personal, and Taxables within this Province:"

"1st Amendment.

"Page 4, Line 3. Dele the Words [so as aforesaid].

"2d Amendment.

"Page 4, 5. Dele the word [that], in the 11th Line of the 4th Page, to the Word [and], exclusive, in the 9th Line of the 5th Page, and instead thereof insert as follows, Viz^{t}: The Sum of Eighteen Pence in the Pound shall be levied on the clear yearly Value of the Estate, real and personal, within this Province, of all and every Person and persons (the Estates of the Proprietaries only excepted); that is to say, on the Clear yearly Rents of all such Lands as are leased, or set to Farm, and on the clear annual Income and profitts of all such improved Lands as are in the Cultivation and Possession of the Owners Thereof, and on the Interest of the whole personal Estate of every Person in this Province, to be estimated and Computed by the Assessors according to the best Information and Judgment therein: *And Whereas*, many valuable Tracts of Land in this Province, and Lots of Ground within the City of Philadelphia and the Several Towns and Burroughs within the Province, remain altogether unimproved, and in other Tracts of Land that are settled and have Plantations on them, there are, nevertheless, adjoining to such Settlements great Quantities of rough, unimproved Lands, which o ght to be charged with a proportionable and reasonable Share of the heavy Taxes laid on the Inhabitants.

"*Be it therefore enacted by the Authority aforesaid*, That all such unimproved Tracts of Land and unimproved Parts and Parcels of Land and Lots of Ground, shall be valued by the respective Assessors at the Price or sum of Money they in their Consciences shall Judge them to be worth, due regard being had to their Situation and Quality, and the Sum of Eighteen Pence in the Pound shall be levied yearly on the Interest of the Value of such unimproved Tracts and Parts or Parcels of Land and Lots of Ground, any thing in any former Law contained to the Contrary Notwithstanding.

"The Governor conceives that the House, in that Part of the Paragraph proposed to be altered, which relates to the Taxing improved Lands and Personal Estates, intends the same thing as he does; that is, to lay the Tax only on the Clear yearly Rents, Income, and Interest; and proposes the foregoing Amendment only as a more full and Expressive for the direction of the Assessors, that they may not mistake the sense and meaning of the Act, but may do equal Justice to the People and go by one Rule throughout the Province, which he is well informed they do not now do.

"He is also induced to Propose the Amendment, with regard to unimproved Lands, for the sake of Equality in the Taxation.

"3d Amendment.

"Page 14, Lines 9, 10, 11. Dele the Words [and what Quit-Rents they respectively are liable to pay to the Proprietaries within this Province].

"4th Amendment.

"Pa. 16, Lines 2, 3, 4, 5. Dele the Words [and also an Account of all such Located Lands as belong to the Honourable the Proprietaries of this Province, or either of them].

"5th Amendment.

"Pages 21, 22. Dele from the Word [and], in the Antipenult Line of Page 21, to the Word [notwithstanding], in the 10th and 11th Lines of Page 22, inclusive.

"WILLIAM DENNY.

"March 29th, 1759."

A Message from the Governor to the Assembly.

"Gentlemen:

"I have carefully considered the Bill intituled 'An Act for granting to His Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the manner herein after directed, and for providing a Fund for Sinking the said Bills of Credit by a Tax on all Estates, real and Personal, and Taxables within this Province,' and now return it to you with a few amendments, which I hope will receive your approbation.

"I would willingly avoid any Dispute that might arise between us, and retard a Bill so necessary at this Juncture for his Majesty's Service, as well as the safety and Benefit of this Province; wherefore I think it proper to inform you that the Proprietaries are ready and willing to Contribute their full proportion of the Sums already granted, or hereafter to be granted to His Majesty's Use, if, on a fair and equal Taxation of their Quit-Rents and appropriated Tracts, their former order for the Sum of Five Thousand Pounds shall be found to fall Short of such proportion. If you approve of this Offer, and will prepare a Separate Bill for that Purpose, I will heartily concur with you in it, and shall be glad to put a final period to this Contest.

"WILLIAM DENNY.

"March 29th, 1759."

A Bill intituled "a Supplement to an Act intituled 'An Act for preventing Abuses in the Indian Trade,'" presented Yesterday to the Governor by Two Members for his Concurrence, was read, and referred to further Consideration.

A Letter from Mr. Spangenburg of the Twenty-Sixth Instant, was read in these Words:

"May it please your Honour:

"Your Honour hath shewn us so many favours that I need no Excuse for this my Letter, wherein I am humbly to acquaint your Honour that Mr. William Edmonds is going to bring in a Petition in the House of the Representatives of this Province, in behalf of the United Brethren, residing in Bethlehem, Nazareth, &c^{a}. Requesting the said House's leave to bring in a Bill for regulating the Tax, which the said Brethren are to Pay. Your honour may hear the Particulars thereof by the said Mr. William Edmonds. If Mr. Edmonds does succeed, and the said bill meets with your Honour's Approbation (which I hope it will, and pray it may), it will extremely oblige us. May our good Lord Bless your Honour with Health and Prosperity, is the Humble Prayer of

"Your Honour's most Hum^{e}. and most Obed^{t}. Servant,

"SPANGENBERG.

"March 26th, 1759."

Two Members waited on the Governor with a Bill for preventing the Exportation of bad or unmerchantable Staves, Heading, &c^{a}., for his Concurrence, which was read in Council.

At a Council held at Philadelphia, Saturday the 31st of March, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr. Lieutenant Governor.

Robert Strettell, Joseph Turner,
Richard Peters, Lynford Lardner, } Esquires.
Thomas Cadwalader,

The Governor informed the Council that the Supply Bill was returned to him by two Members in half an Hour after it had been delivered by the Secretary with his Message and Amendments, and that the Members delivered with the Bill a Message that the House adhered to their Bill.

The Council was unanimous that the Bill should be immediately sent to the Assembly, with the following verbal Message by the Secretary:

"The Governor returns the Supply Bill, and Commands me to acquaint the House that he cannot give his Assent to it. He is, however, willing to Pass a Bill of the same Tenor with the one passed the last year, for granting to His Majesty the Sum of One Hundred Thousand Pounds."

Then was read a Letter from Lieutenant Colonel Mercer to the Secretary, enclosing some Minutes of Conferences with Indians, both which were read and ordered to be entered as follows:

A Letter to Mr. Richard Peters from Colonel Mercer.

"PITTSBURGH, the 1st March, 1759.

"Dear Sir:

"This goes by Isaac Stille, who, together with the King Beaver, is returned from the Neighbouring Tribes with good Accounts of their readiness to accept our offers of Peace.

"Some Conferences held with the Beaver and with two Taway Indians, I have enclosed for the Governor's perusal, in Compliance with Stille's request, for I should not otherwise have given his Honour the Trouble of reading such trifles.

"My principal aim in all transactions with Indians is to convince them of the Sincerity of the Friendship we offer, and at the same time of our Ability to Command what we now put it in their Power to accept. It is pitty the goods have been so long detained, many Indians have carried back the Skins they brought to trade with, and now the Beaver is here, I am put to the necessity of letting the Pedlars supply him with Sundry Articles; this, tho' an illicit affair, there is no avoiding, as very little of the King's Goods suited him. The fewer present are made these people, the better encouraging a spirit of Industry appears to be the likelyest means of breaking them off from War, and closely connecting them with us, who can at the cheapest rate supply their Wants.

"The Intelligence brought me is so various and Contradictory that I begin to be ashamed of sending it further. It is, however, the General Opinion of the Indians that this Place will soon be attempted by the Enemy. A Train of Artillery and Considerable re-inforcement from Niagara having crossed the Lake this Winter, as they say, if any Confidence is to be put in the Mingoes, I shall in a few Days know their Strength.

"The Delawares at the Mouth of Beaver Creek intend to move to Kuskusky, they pretend, at our request; but rather in my Opinion, thro' Diffidence of us, or to get out of the Way of Blows, if any are going, for depend upon it they are desirous of fighting neither on the side of the English nor French, but would gladly see both dislodged from this Place. It is true the Old thinking part of the Tribe incline to us, while the young Villains who have swilled so much of our Blood, and grown rich by the plunder of the Frontiers, have still some French Poison lurking in their Veins, that might perhaps break out at a Convenient Opportunity.

"These Circumstances demand our Pitty as well as Resentment, and whatever Mollifying Methods lie in my Power, while it is thought proper to Honour me with the Command here, I shall not be wanting. It may not be amiss to inform the Commissioners for

Indian Trade that good Saddles, about Three Pounds in Philadelphia, Wampum, and Silver Truck are frequently called for; One fellow from Muskingham engaged me to write for two Negro Girls and a Boy about fourteen years old, to be paid for in furr; if the Gentlemen think it necessary to look out for such and mention to their Agent the Price, the Furr will be brought here.

"I cannot omit this opportunity of Signifying to you the Difficulties I am under of a Surgeon to attend our Sick; Mr. Johnson of the Virginia Regiment has been kind enough to attend them hitherto. I hope the Governor and Commissioners will enable me to make him a Retaliation, as Two Hundred of our People are now here. One of the Surgeons in Pay of the Province should be ordered up.

"As my knowledge of Publick Affairs scarcely extend without the Limits of Pittsburg, Whatever you are pleased to favour me with will be highly agreeable to,

"Sir, Your most Obedient Humble Servant,

"HUGH MERCER.

"Please to offer my Compliments to his Honour the Governor."

"*Minutes of Conferences held with Indians at Pittsburgh, Febuary 24th,* 1759.

"To-day Isaac Stille and a number of Delaware Indians came here and told me the Beaver, their King, would see me to-morrow.

"Sunday the 25th, the Beaver, Delaware George, and Isaac Stille, with several other Indians, and the Gentlemen of the Garrison, being present, the Beaver spoke as follows:

"'Brother:

"'I am come to see you; I hope you have had your Health as I have had mine, and that you retain the same Sentiments of Friendship as heretofore.

"'I have brought some of my young Men along with me, with their Skins and Furrs, in hopes that the Goods which you promised to send to trade with us are come.

"'You told us last Fall that Goods should be brought here to Trade with us, and that you were willing to make up all the Differences which had unhappily fallen out between us.

"'We look back to that strong Chain of Friendship which we and our Brothers held fast long ago; it was not our faults that it slipt out of our hands; we are glad that you have laid hold on it once more, and we are resolved to Hold it fast.

"'All I have at present to say is that your Speeches and Treaty of Peace are gone to distant Nations; they are passing from one to another, and I cannot tell how far they have gone yet. The

Taways having heard of your intentions of making Peace with us, and with all the Indians, have sent two of their Nation to see you and to hear your Words.'

"Then producing a String of Wampum, he proceeded:

"'Brother, be attentive;

"'You have stayed here this Winter, and you may possibly have heard something that has displeased you. Whatever ill has gone in your Ears and down to your Breasts, I intirely remove and put away by this String.

"'It is possible you have heard some Words that have made you of another mind. I now make you of the same mind as when you first made the Treaty of Peace.

"'Brother:

"'You must be in earnest in your Treaty of Peace, for I shall do every thing in my Power among the Delawares to render it Effectual.'

"Gave a String.

"Then producing another String, Proceeded:

"'Brother:

"'Listen a little to what I say. Your Nation and my Uncles, the Six Nations, came here together to make a Treaty of Peace.

"'Brothers:

"'The Six Nations and you desired that I would sit down and smoak my Pipe at Kuskusky; what they desired me I intend to do, and shall remove from Sacunk to Kuskusky. I tell you this that you may think no ill of my removing from Sacunk to Kuskusky, for it is at the great desire of my Brothers, the English, and my Uncles, the Six Nations, and there I shall always hear your Words.'

"Gave the String."

—

"Monday the 26th.

"The Two Taways told me they wanted to go Home, upon which I told them that their coming here was extremely agreeable, as it testified their Desire of making Peace with the English. Then taking out Some strings of Wampum, I desired them to be attentive, For what I was to say was addressed to their Chief Men, and to all the Taway Nation.

"'Brothers:

"'I am come to this Place with a Friendly Disposition and hearty Desire to make Peace with all Nations of Indians. A great

while ago the English lived in the strongest Friendship with all the Indians. At Length the French came, and parted us from our good Friends. But now they are drove off; we put out of our Minds every ill Sentiment, and intirely Bury in Oblivion what has happened between us and the Indians during these few Years.

"'All we desire of the Indians is to deliver up our People, now living among them, and to break off from assisting and fighting with the French. We do not offer Peace to the Indians thro' any apprehensions of their Power joined to the French, for we have this last Year defeated their United Forces in different Places; but knowing the Indians have been deceived and many ill Impressions of us made upon them by our Common Enemy, We, therefore, out of pitty to them, and from the Remembrance of our Antient Friendship are now willing and ready to renew our former Friendship in the most Sincere and ample manner. The Speeches and Peace Belts of our great Men will arrive in your Nation by the time you get Home, & I hope your People will readily and joyfully accept of the Kind Offers their Brothers make them. Your great Men are to Consider that their Brothers, the English, from a few that came into America, are become a great People, every Day increasing in Numbers of Men and Warriors; so they should Weigh well whether it is their Interest to make us their Enemies for Ever, or now Joyfully accept the Peace we Offer them.'

"Gave the String.

"They appeared well satisfied, telling me that my Words should be conveyed safe to their Great Men."

—

"Thursday the 28th.

"King Beaver, Kill Buck, Isaac Stille, and several Delaware Indians being present, with the Officers of the Garrison, I spoke to the Beaver:

"'Brother:

"'I am very glad to see you returned safe to your People; while you have been spreading the good News of Peace among the neighbouring Nations, I have been employed in Establishing and Confirming it with the Delawares and all other Indians who came here. As soon as I understood that your People had dropt off from the French, that moment I put out of my mind every ill impression conceived against them, and have ever since retained the most Friendly Sentiments, and regard you as my Brother. The Goods for opening a Trade with the Indians are upon the Road, and will be up as soon as the Waggons can come along. This and every other Engagement your Brothers, the English, have come under will be fulfilled in the most sacred manner, to your ample Satisfaction; For our Friendship remains as strong as ever; nothing we have heard or seen has in the least lessened it.

"'Brother:

"'It is not the Desire of the English that you should move from Sacunk to Kuskusky. General Forbes, in his Letter, mentioned your sitting down & Smoaking your Pipe at Kuskusky, because he had heard of no other Great Delaware Town. Your Brothers, the English, desire to see you live in Peace and Happiness, either at Sacunk, Kuskusky, or wherever you think proper, and by no means intend to Limit you to one Place or another.'

"Gave four Strings of Wampum.

"'Brother:

"'I am determined to Cultivate a Friendship with you and your People by a mutual Exchange of Good Offices. Whatever I hear that may be to your Advantage to know, I shall Communicate Freely, and Expect and Desire you will do the same by me. We have a Common Enemy to watch against. Observe and inform me of his Motions, and of your People who bring Intelligence that Concerns my Interest shall be well Rewarded.'

"Gave Four Strings of Wampum.

"'Brother:

"'Now the Country People are bringing up Rum and Whisky. It is very likely that the Indians will Drink too Much, and falling out with their Brothers here, may Occasion our Quarrelling, which I should be very Sorry for, and therefore I desire you would tell your People not to come in the Fort on these Occasions, or if they do, to Behave Civilly, and then they may depend on being treated as Friends and Brothers. None of my People shall begin a Quarrel, but you are to Consider that we are Warriors, and will not take any abusive Language or Behaviour. If such is given by the Indians when in Liquor, I cannot Protect them from being ill treated.'

"Then I made the Beaver a Present of Sundry Sorts of Goods. He Expressed great Satisfaction, and told me he was immediately to set off to the Indian Nations over the Lake, and would use his utmost Endeavours to Establish the Peace every where.

"HUGH MERCER."

Another Letter from Colonel Mercer, of the Eighteenth of March, to the Secretary, enclosing some Indian Intelligence received at Pittsburgh the Seventeenth of March, with a return of the Garrison at Pittsburgh, were read and ordered to be entered.

A Letter to Mr. Richard Peters from Colonel Mercer.

"PITTSBURGH, the 18th March, 1759.

"Sir:

"I had the pleasure to receive your Favour of the Twentieth of February, some days since, but deferred answering it till the return

of Teedyuscung's Son, who set off the Second Instant to stay at Prisque Isle.

"He arrived yesterday with full and particular Intelligence, widely different from what I received a month ago, and had confirmed since by Sundrie Indians, who pretended doing me a mighty favour in Communicating it.

"How far this or the former Story come near the Truth, a few Weeks will discover. In the Mean Time, it is our Business to prepare for the worst, conscious we have to do with a Vigilant and active Enemy. Several French Officers and Traders have lived this Winter in the neighbouring Towns, and no Doubt endeavor to keep alive the Indian Interest by exagerated Accounts of their Force and Intentions. These will prove more useful to us probably than they intended, by giving Vigour to our Measures, which cannot be too soon entered upon. Inclosed for the governor's Perusal is the Intelligence by both, Shingas' Speech on his coming here a few Days since, and a return of the Garrison of Pittsburgh.

"We have nothing to fear, in my Opinion, and as little to Loose from the Delawares, they chuse to lye by and wait the Event of this Summer's Campaign; they give assurances that all their Allies in the late War will follow their Example in Burying the French Hatchet. Three Chippeways, encouraged by the Kind treatment given the Taways whom they fell in with on their Way home, have come here two Days ago. I shall endeavour to send them home with suitable Impressions of us; likewise Shingas appears backward in going to Philadelphia, but tells me he waits for the Chiefs of other Tribes that live a great way off, and intends going down with them; he does not guess at the Time. As soon I discover their intentions this Way, you shall have proper notice of it; The Captives will be detained to the last minute and many Secreted.

"The Mingo fellow got here and were gone to their Town before your letter reached me; they appeared in very good Temper, telling me they went home to bring their Chiefs here to hold a Council; by the time their Messengers, left in Philadelphia, should arrive at this Place.

"I am sorry that Returns of the Regiment have not been transmitted the Governor, but could not imagine that Colonels Armstrong and Burd would omit sending proper Returns of their Battalions at the close of the Campaign, by which the Number of Pennsylvania Troops stationed at Pittsburgh must appear. Had the Governor been pleased to honor me with the least shadow of Orders, I should have been far from violating or neglecting them.

"You will discover in Shingas' speech his attention to the Interests of Trade; every part of his Conduct here is of a Piece; the Indians are surprized, and so must every one be that offer repeated Promises of proper Assortments of Goods, being sent to barter with them on the Government's Account, none have yet appeared,

though multitudes of pedlars come here with the Same Species carried on Horses. I dropt a Line to Mr. West regarding the Indian Trade. Course Goods will not do; such things as the Indians have formerly dealt in must now be more Showey and of the finest Sort. The Price they don't Value, so they find it much the Same down the Country.

"As soon as an Army marches up superior to the French force on the Lakes, you will have the Chiefs of these Ohio Indians and many Men go to treat at Philadelphia. The Safety of their Families will Induce them to Wait for our first taking Vigorous measures. I am, Sir,

"Your most Humᵉ Obedᵗ Servᵗ,
"HUGH MERCER."

"*Intelligence received the* 17*th of March*, 1759, *at Pittsburgh.*

"Thom. Bull, the Indian Employed to Spy at the Lakes, arrived. He set off from hence the Second Instant, and in two Days reached Venango; staid there that Night; next Day got to Cushtuloga's Town, and the Day after in the Evening Reached La Beef; Stayed there One Night, and Went on with three french Men to Prisque Isle next Day. At Prisque Isle the Garrison consisted of Two Officers, two Merchants, a Clerk, Priest, and One Hundred and Three Soldiers, as near as he could reckon by counting them in the Barracks, for they were not Employed about any Work.

"The Commanding Officer's Name is Burinol, with whom Bull was formerly well acquainted, and therefore not suspected his coming from us. He Treated him with great Openness, and told him that thirty Towns of the Wawcacteneius, Taways, Chepisaws, Telmatenais, and French Mingoes, had Engaged to join the French and come to War here. He Saw Fifteen Hundred War Billets ready prepared for their Equipment. He, likewise, says (but whether the Officer told him, or he understood it from any other Person I cannot make out) that the Indians just Ready to sett off were stopt by the Belts and Speeches sent among them by the English, and that they had resolved to desist till such time as they came to Kuskusky to hear what we had to say to the Delawares, and their Resolution thereupon. By this they were to be guided, and if they found Peace Established, to take their Tomahawk out of their Young Men's Hands that yet inclined to the french, and follow the Example of their Grandfathers the Delawares.

"Accordingly a great Body of Fifteen Hundred of these over Lake Indians were soon Expected to arrive at Kuskusky.

"The Officer told him that he had lately a Council with the Mingoes, and told them he was Sorry to See One-half of the Mingoes broke away to the English; he addressed them to leave the English, and Come and Sit by his Fire, as formerly.

"They Replied, that they took the Tomahawk out of their Hands and Buryed it; that they would do so by the English, and advise both to fight as formerly, Over the great Waters, without disturbing their Country; that they might Live in Peace with both; and that the English should return home. The French replied, he would go home as soon as the English moved off. Burinal told him he had sent a Belt to the Delaware Chiefs. The Beaver, George, and Cuttighegan, to come and Council with him, and by Bull's account they were directed to set off about this Time.

"The Fort is a square, with four Bastions, Square Log Work; no plat Forms raised yet, so that they can't be used; Only a small Platform in each Bastion for a Centinel; no Guns upon the Walk, but four Four Pounders in One of the Bastions, not mounted on Carriages. The Wall only Single Logs; no Bank within or Ditch without; Two gates, of one Equal Size, about Ten Feet Wide, One fronts the Lake, about Three Hundred Yards Distance, the other the road to La Beef. The Magazine is a Stone House, covered with Shingles & not sunk in the Ground, standing in the Right Bastion, next the Lake, going to Prisque Isle from La Beef. The other Houses square Logs; a Considerable Quantity of Indian Goods, but little Flour; Twelve Battoes are every day expected to arrive from Niagara with Provisions, the Lake being open to within Three Hundred yards of the Store. No Body of French is expected soon from Niagara, but about Five Hundred from a Fort on the North Side of the Lake Erie, in the Waweailuneus Country (which I have formerly heard of to be Built of Cedar Stockaids), were to have come along with the Indians above mentioned, and were still expected to Prisque Isle as soon as the Lake is clear of Ice. There was Four Battoes at Prisque Isle, and no Works carrying on but one small House in the Fort. He was requested to stay, or to return soon, as a great many Delawares were expected to be soon there to Council.

"The Officers made him a Present of a Pair of Stockings. On his Desire to know the Number and Situation of the English here, Bull replied that he had not been here since last fall; that we first Came when a few staid, but he heard since from the Delawares, that a great Number had since came up, and that they had erected a fine Fort.

"Bull left that Place, telling the French that he was going to Wioming to see his Father, and got to La Beef that Night. The Fort is of the same Shape, but very small; the Bastions, Stockaids, and joined by Houses for the Curtains, the Logs mostly rotten; Platforms are erected in the Bastions, and Loop holes properly cut. One Gun is mounted on One of the Bastions, and Points down the River. Only one Gate, and that fronting this Way, or the Side opposite the Creek. The Magazine is on the right of the Gate, going in, part of it sunk in the Ground, and above is some Casks of Powder to Serve the Indians. Here are two Officers, a

Storekeeper, a Clerk, a Priest, and One Hundred and Fifty Soldiers, the Men not Employed. At La Beef are twenty-four Battoes, One of them made lately, and One of them repaired lately. One Le Sambrow is the Commanding Officer. They have a larger stock of Provisions here than at Prisque Isle.

"He found at Venango two Officers and Forty Men, La Marie Commander. He does not know the Stock of their Provisions, nor where their Powder is kept, but gives the description of the Fort as I received formerly. Only two Battoes are at Venango, and Two he heard had late come there with Indian Goods. The Ohio is clear of Ice at Venango, and the French Creek is clear to La Beef. The Road is trod and good from Venango to La Beef, and from thence to Prisque Isle, about half a Day's Journey, is very Low and Swampy, and Bridged almost all the Way. He heard no news at Venango, only that Two French Men and Two Chipawas had gone from thence to take a Scalp at this Place, and that Twenty-Six Mingoes had passed by that Place lately, going to War against the Catawbas.

"Delaware George and the other fellow, Bull thinks, will go to Prisque Isle; But the Beaver goes to the Forks of Siolas to Plant this Spring, and then return to Live at Kuskusky. French Creek Navagable for Battoes all Summer. Bull went from Venango to Kuskusky, and there met with some Chipawas coming here, and he accompanied them. There are only Two Men, Two Women, and some Indians' Children at Prisque Isle. Taways were at La Beef, and a few Delawares at Venango. Custelogo not at Home. Some of the Works at Prisque Isle are upon the Decay, and some appears to be Lately done.

"The above copied from my Journal is very incorrectly done, but nothing material Wron Worded, and I have not time to correct it.

"HUGH MERCER."

A Return of the Garrison at Pittsburgh, March the 17th, 17 9.

	OFFICERS PRESENT.							Effective Rank and File.				Since the first of January.			
	Commissionated			Non-Commissiontd.											
	Colonels.	Captains.	Lieutents.	Ensigns.	Sergeants.	Fifes.	Drums.	Fit for Duty.	Sick.	On Commg.	Total.	Recruited.	Dead.	Discharged	Deserted.
Royal Artillery,					2			6	2		8				
Royal Americans,								19	1		20		1		
Highlanders,		1	1	2	3		2	75	5		80				
Virginia Regiment,		1	1	1	4		1	79	19	1	99		2		
1st. Battn. Pennsylvania,	1		2	3	4			98	36	2	136		7		
2d. Battn. Pennsylvania,		1	2	3	6			69	16		85		2		
	1	3	6	9	19		3	346	79	3	428		12		

HUGH MERCER.

At a Council held at Philadelphia, Monday, the 2d day of April, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	Richard Peters,	
Lynford Lardner,	Benjamin Chew,	
Thomas Cadwalader,		

An Express having yesterday brought two Letters from Secretary Pitt, which came in the Halifax Packet, and likewise a Letter from General Amherst, the same were read and ordered to be entered.

A Letter from Mr. Pitt to Governor Denny.

"WHITEHALL, 23d January, 1759.

"Sir:

"I am now to acquaint you that the King has been pleased, immediately upon receiving the account of the Success of his Arms on the River Ohio, to direct the Commander-in-Chief of his Majesty's Forces in North America, and Brigadier General Forbes to lose no time in Concerting the properest & speediest means for compleatly restoring, if possible, the ruined Fort Duquesne to a defensible and respectable State, or for erecting another in the Room of it, of Sufficient Strength, and every Way adequate to the great Importance of the several objects of maintaining His Majesty's Subjects on the undisputed Possession of the Ohio; of Effectually cutting off all Trade and Communication this Way, between Canada and the Western and Southern Indians; of protecting the British Colonies from the Incursions to which they have been exposed since the French built the above Fort, and thereby made themselves Masters of the Navigation of the Ohio; and of fixing again the Several Indian Nations in their Alliance with and dependance upon His Majesty's Government. And the Province under your Command is so particularly and nearly interested in the Speedy Execution of this great and Salutary Work, that it will be matter of no small Surprize, and must reflect the greatest Blame on their Conduct, should they in any point fail to assist, to the Utmost, the King's Officers who shall be Employed on this Occasion; I have therefore the King's Commands to signify to you his Pleasure that you should use your utmost Endeavours with your Council and Assembly, to induce them to exert every Means in their Power for Collecting and forwarding the Materials of all Sorts, and the Workmen which shall be wanted, and which the Commander-in-Chief in North America, or Brigadier General Forbes shall require for the Service; and that your Province do also furnish every Assistance of Men,

Cattle, Carriages, Provisions &c^a^, that shall be necessary for the Support and maintenance of the King's Forces that shall be employed in this Essential Work, as well as in all farther Operations to be undertaken in those parts the Ensuing Campaign.

"I am, Sir,

"Your Most Obedient Humble Servant,

"W. PITT."

—

Another Letter from Mr. Pitt to Governor Denny.

"WHITEHALL, February 5th, 1759.

"Sir:

"The King having been pleased to appoint Rear Admiral Saunders to be Commander-in-Chief of all His Majesty's Ships employed or to be employed in North America, I am to signify to you the King's Pleasure, that you do Transmit to Rear Admiral Saunders all intelligence relative to his Department in the Same Manner as you was directed to do, by my Letters of the Nineteenth of February and Thirtieth of December, 1757, to the former Commanders-in-Chief of His Majesty's Ships, and it is also the King's Pleasure that you do on any Application from Admiral Saunders, or the Commandor-in-Chief of the King's Ships, use all Legal Means to Supply him with such a Number of Sailors and Workmen from your Province as he shall at any time require for his Majesty's Service.

"I am, Sir,

"Your most Obed^t^ Hum^e^ Servt,

"W. PITT."

—

A Letter from General Amherst to Governor Denny.

"NEW YORK, March 28th, 1759.

"Sir:

"With my Dispatches from Mr Secretary Pitt, this Moment received by the Halifax Packet, came the enclosed for you, by which you will see that the King has been pleased to direct me and Brigadier General Forbes to lose no Time in concerting the properest and speediest means for compleatly restoring, if Possible, the ruined Fort Duquesne to a Defensible and respectable State, or for Erecting another in the room of it, of sufficient Strength and every Way adequate to the great Importance of the Several Objects of maintaining His Majesty's Subjects in the undisputed Possession of the Ohio; of effectually cutting off all Trade and Communication this way between Canada & the Western and Southern Indians; of pro-

tecting the British Colonies from the Incursions to which they have been Exposed since the French built the above Fort, and thereby made themselves Masters of the Navigation of the Ohio; and of fixing again the Several Indian Nations in their Alliance with and dependance upon his Majesty's Government, for all which wise and good Purposes, it is his Majesty's Pleasure that you should use your utmost Endeavours with your Council and Assembly, to induce them to exert every means in their Power for Collecting and forwarding the Materials of all Sorts, and the Workmen which shall be wanted, and which the Commander-in-Chief in North America or Brigadier General Forbes shall require for this Service; and that your Province do also furnish every other Assistance of Men, Cattle, Carriages, Provisions, &c., that shall be necessary for the support and maintenance of the King's forces that shall be employed in this Essential Work, as well as in all further Operations to be undertaken in those Parts the Ensuing Campaign.

"These directions being so full and Explicit, leaves me Nothing to doubt, to add to them than my Warmest Wishes and Hopes, that they will meet with a vigorous and speedy execution, as well on the part of your Province as those of Virginia and Maryland, who are equally with you so particularly and nearly interested therein, and to whom the same is likewise recommended in the Strongest Terms.

"And as I have already Signified to you that I had appointed Brigadier General Stanwix to succeed Brigadier General Forbes in the Command to the Southward, and desired you to Correspond and Co-operate with him in every Matter relative to the Service in those Parts, I am now to request of you that all the Aid and Assistance required of you by Mr. Secretary Pitt's within Letter in favour of the late Brigadier Forbes may be granted to Brigadier Stanwix to enable him in the most Expeditious Manner to Execute the before mentioned great and Salutary Work or any other that may be found Necessary for the good of the Service, and that you would look upon whatever he may ask or require of your Province, during his Continuance in that Command, as coming from myself.

"I am, with great Regard, Sir,
"your most Obed$^{t.}$ Hum$^{e.}$ Serv$^{t.}$
"JEFF. AMHERST."

Secretary Pitt's Letters were again read and Considered, and the following Message was drawn at the Table, agreed to, and the Secretary directed to deliver it to the House this Afternoon with the foregoing Letters:

A Message from the Governor to the Assembly.

"Gentlemen:

"By the Halifax Packet I yesterday received a Letter from the Right Honourable Mr. Pitt, One of his Majesty's principal Secre-

taries of State, of the Twenty-Third of January, communicating to me his Majesty's Commands, which he was pleased to give upon receiving the Account of the Success of his Arms on the River Ohio.

"As this Province the last year shewed great Zeal and Ardour in promoting the measures conducive to that happy Event, which his Majesty is now desirous of improving to the best Advantage, and as his Majesty's faithful Subjects in every part of his Dominions will, no Doubt, vie with each other in Contributing their utmost to the vigorous Efforts of his Majesty for reducing his Enemies to reasonable Terms of Peace, I am perswaded you will exert yourselves in giving your best and readiest Assistance to Brigadier General Stanwix, who is appointed to Command in the Southern Provinces, and in Answering his Majesty's other just Expectations, so warmly recommended to you by His Majesty Minister and his Excellency General Amherst.

"I also lay before you Mr. Pitt's Letter of the Fifth of February last, wherein his Majesty has been pleased to notify to me the appointment of Rear Admiral Saunders to be commander-in-Chief of all His Majesty's Ships, employed or to be employed in North America; and further requiring me to use all legal Methods to supply him with such a Number of Sailors and Workmen from this Province as shall at any time be applied for. This naturally leads me to remind you of an application made to me by Admiral Durell (who has the Command of the Fleet 'till the Arrival of Admiral Saunders) for a Supply of Seamen from this Province, which I have already communicated to you with his Letter. I must again press you to take the Demand into your immediate Consideration, and let me have your result upon it, so that I may be enabled to return him an Answer.

"WILLIAM DENNY.

"April 2d, 1759."

A Letter of Mr. Robert Wood, first Clerk of the Secretary of State's Office, dated the Twenty-sixth of January last, notifying the Death of the Princess of Orange, and the Orders with regard to Mourning, were read.

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MEMORANDUM.

On the Fifth of April, 1759, A Bill, entituled "an Act for granting to His Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the manner herein after directed, and for providing a Fund for for sinking the said Bills of Credit by a tax on all Estates, real & Personal, and Taxables within this Province," was sent up to-Day to the Governor for his Concurrence.

At a Council held at Philadelphia, Friday the 6th of April, 1759, P. M.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

Joseph Turner, Richard Peters, } Esquires.
Benjamin Chew, Thomas Cadwalader, }

The second Supply Bill presented yesterday was red, first all over and then Paragraph by Paragraph. It was observed that all the Proprietaries' Estate, Real and Personal was Subjected to all the Taxes that had been raised, as well as the Present one proposed to be raised by the Bill, in Common with other Estates; and that as the Proprietaries were absent, they had not even an Opportunity of an Appeal before the Commissioners, which every body else had, nor were there appeals so much as mentioned in the Bill. It was therefore unanimously agreed to amend the Bill, striking out every thing that related to the Proprietary Estate.

The Amendments were made and a Message drawn in these Words and Sent to the House by the Secretary:

"Amendments to the Bill intituled 'An Act for granting to His Majesty the sum of One Hundred Thousand Pounds, and for Striking the Same in Bills of Credit in the manner hereinafter directed, and for providing a fund for Sinking the said Bills of Credit by a Tax on all Estates, Real and Personal, and Taxables within this Province.'

"1st Amend^t Page 14, Line 14. Dele the Word [not] and instead thereof insert the Word [only].

"2d Amend^t Page 14, Lines 9, 10, 11. Dele the Words [and what Quit-Rents they respectively are liable to pay to the Proprietaries yearly, within this Province].

"3d Amendment. Page 15, Lines 2, 3, 4, 5. Dele the Words [and also an Account of all such located Lands as belong to the Honourable the Proprietaries of this Province, or either of them].

4th Amendment Pages 29, 30, 31, 32, 33, 34, 35, 36, 37, 38. Dele from the Word [and] in the 13th Line of the 29th Page, to the Word [came] inclusive, in the 15th Line of Page 38.

"WILLIAM DENNY.

"7th April, 1759."

—

A Message from the Governor to the Assembly.

"Gentlemen:

"My Instructions do not permit me to accede to a Bill for the Taxation of any Part of the Proprietary Estate unless Commis-

sioners are therein appointed for that Purpose; nor can I conceive it reasonable that they should be obliged to submit their Estates to an assesment by Persons in whose Election or Nomination they have no Share, and be thereby excluded from a Privilege you have, with Justice, granted to all the Freeholders and Voters in his Province.

"Every moment's Delay of the supply Bill at this Critical Juncture does great Violence to the Vigorous Plan of Operations concerted by our gracious Sovereign for the Ensuing Campaign. I hope, therefore, you will no Longer retard it by insisting on a Matter which I have no power to Comply with, but leave it to be adjusted in a separate Bill, according to the Proposal I made you in my last Message on that Subject.

"WILLIAM DENNY.

"April 7th, 1759."

The Repeals of the Act of Assembly, given to Mr. Croghan a Relief for ten Years was read in these Words:

"At the Court at Kensington, the 16th Day of June, 1758.

"PRESENT:

"[L. S.] The KING'S MOST EXCELLENT MAJESTY.

"Lord President,	Earl Waldegrave,
"Earl of Holdernesse,	Earl Gower,
"Earl of Rochford,	Mr. Secretary Pitt.

"WHEREAS, in Pursuance of the Powers granted to the Proprietaries of the Province of Pennsylvania, by Letters Patent under the Great Seal, the Deputy Governor, Council, and Assembly of the said Province did, in December, 1755, Pass an Act which hath been transmitted, Entituled as follows, Viz^{t}:

"'An Act for the Relief of George Croghan and William Trent, for and during the space of Ten Years.'

"His Majesty this Day took the said Act into his Royal Consideration; and having received the opinion of the Lords Commissioners for Trade and Plantations, and also for a Committee of the Lords of His Majesty's most Honourable privy Council thereupon, is hereby pleased to declare his Disallowance of the said act; and pursuant to His Majesty's Royal Pleasure thereupon expressed, the said Act is hereby repealed, declared Void, and of none Effect; Whereof the Deputy Governor, Council, and Assembly of the said Province, for the time being, and others whom it may concern, are to take Notice and Govern themselves accordingly.

"F. VERNON."

The Ratification of four act of Assembly was read, dated the Sixteenth of June, 1758, and ordered to be entered:

"[L. S.] At the Court at Kensington, the 16th Day of June, 1758.

"PRESENT:

"The KING'S MOST EXCELLENT MAJESTY.

"Lord President,	Earl Waldegrave,
"Earl of Holdernesse,	Earl Gower,
"Earl of Rochford,	Mr. Secretary Pitt.

"WHEREAS, in Pursuance of the Powers granted to the Proprietaries of the Province of Pennsylvania, by Letters Patent, under the Great Seal, the Deputy Governor, Council, and Assembly of the said Province, did, in 1756 and 1757, pass four Acts, which have been transmitted, and are Entituled as follows, Viz^{t}:

"'An Act for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes, and alleys of the City of Philadelphia, and for raising of money on the Inhabitants and Estates of the said City for defraying the necessary Expences thereof.'

"'A Supplement to the Act entitled 'an Act for regulating and continuing the nightly Watch, and enlightening the Streets, Lanes, and Alleys of the City of Philadelphia, and for raising of money on the Inhabitants and Estates of the said City for defraying the necessary Expences thereof.''

"'An act for binding out and settling such of the Inhabitants of Novia Scotia, imported into this Province, as are under Age, and for Maintaining the Aged, Sick, and Maimed, at the Charge of this Province.'

"'An act for the further Continuation of an act of General Assembly of this Province, entituled 'an act for the more easy recovery of Legacies within this Province.''

"His Majesty this Day took the said Act into His Royal Consideration, and having received the Opinion of the Lords Commissioners for Trade and Plantations, and also of a Committee of the Lords of his Majesty's most Honourable privy Council thereupon, is hereby pleased to declare his approbation of the said Acts; And Pursuant to His Majesty's Royal Pleasure thereupon expressed, the said Acts are hereby Confirmed, finally enacted, and Ratified Accordingly; Whereof the Deputy Governor, Council, and Assembly of the said Province, for the time being, and all others whom it may concern, are to take notice, and Govern themselves accordingly.

"F. VERNON."

The following Letter from General Amherst, of the Thirtieth of March, to the Governor, was read in these Words.

"New York, 30th March, 1759.

"Sir:

"Agreeable to my Letter of the Seventh, I then wrote to Sir John St. Clair, to call in all the outstanding Accounts of Expences incurred last year in the Expedition against Fort Duquesne, which I find has been done, but that they are of so intricate and complicated a nature as to require a very narrow Inspection to set them in such a Light as will Warrant the payment of them, with Justice to the Crown and the Persons concerned therein; for which purpose I am come to a Resolution to follow the Measure pursued in a similar Case, after the Demise of General Braddock, by appointing Commissioners to inspect & settle the same; and to prevent all partiality on either side, these Commissioners shall be two on the part of the Inhabitants, and two in Behalf of the Crown, who are to meet as often as possible, and with the utmost dispatch proceed to the Examination of all such accounts as shall be brought before them; and that no time may be lost nor no pains spared in the Careful Inspection of those Accounts, Each Two Commissioners shall be allowed a Clerk to Transcribe or take down whatever may be necessary to be committed to writing, during such their Examination, after which they will digest the whole and Report, likewise in writing, their Sentiments thereupon, Setting forth the Validity or Invalidity of the respective Claims, what part thereof may have been paid, and finally to dermine what may be still justly due, in which they Will have a strict Regard to the Rules of Justice and Equity; then agreeably to Such Report, what part thereof I think myself Authorized to Discharge, I shall do it without Delay; the remainder, if there should be any that I have reason to believe I cannot take upon me to acquit, I will readily transmit to the King's Ministers, for their decision. And this, I apprehend, you will own with me, is all I can do in a Transaction that happened before I was Honoured with the Command, to which, from the distance I have been at, I am an utter Stranger.

The Two Gentlemen I have named in behalf of the Crown are Sir John St. Clair, Deputy Quarter Master General, who, from his Station in the Army, and his having been an eye Witness to the Whole, must be throughly inform'd of every thing, and be a Competent Judge of what may be justly due (unless Brigadier Stanwix should think Sir John can be more usefull in giving those Lights by way of Information to the Commissioners, in which case he will appoint another in his stead.) The other is Mr. Barrow, the Deputy Paymaster General, who being an Accomptant, must give great Ease to all matters of Calculation. I do accordingly write to Brigadier General Stanwix to appoint them for to act in Conjunction with Alexander Stedman, Esqr of Philadelphia, George Stevenson,

Esqr. Chief Magistrate & Proto-Notary in the County of York, or Mr. John Inglis, likewise of Philadelphia, either two of which I must beg the favour of you to appoint in like Manner; and as this must for some time partly draw their Attention from their own Callings, which Merits Some Compensation, you may promise them such a reward as is usually given upon those Occasions, which I beg may be Lumped, and not at so much a Day, which would only tend to protract the Meetings. These Rewards will be paid by Brigadier Stanwix whom I have acquainted with the Whole, and have left it to him, if he knows of any other Gentlemen than the above named. Three that are more Equal to the Task, and whom he shall chuse to Employ upon this Occasion, to name two such to you for your appointment, which you will please to Comply with; and in that Choice to assist the Brigadier with your Advice.

"I am, with great Regard, Sir,

"Your Most Obed^t. Hum^e. Servt.

"JEFF. AMHERST."

At a Council held at Philadelphia, Tuesday the 10th of April, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr. Lieutenant Governor.

Benjamin Shoemaker,	Joseph Turner,	Esquires.
Richard Peters,	Lynford Lardner,	
Benjamin Chew,	Thomas Cadwalader,	

The Governor informed the Council that the Supply Bill was sent to the House on the Seventh Instant, with the Amendments and Message agreed upon at the last Council, and that it was that same Day returned to him by the House with a written Message, which was read in these Words:

"May it please your Honour,

"On the Twenty-Fourth of March last we sent you a Bill for granting to his Majesty the sum of One Hundred Thousand Pounds, for raising, paying and Cloathing Two Thousand Seven Hundred Effective Men, to act in Conjunction with a Body of his Majesty's British Forces, and the Troops of Virginia, Maryland and the Lower Counties, in such offensive Operations as shall be carried on and prosecuted by His Majesty's Commander-in-Chief in these Parts during the Ensuing Campaign, to which your Honour refused your Assent.

"By your Message of the Twenty-Ninth of March you were pleased to inform the House that the Proprietaries were ready and Willing to contribute their full Proportions of the Sum granted, or to be

granted to his Majesty's use, if, upon a fair and equal Taxation of their Quit Rents and appropriated Tracts, their former Order for the Sum of Five Thousand Pounds shall be found to fall short of such Proportions; we thereupon immediately formed a new Bill, and complied with your Request as far as we could Conceive it Consistent with that Justice we owe to the Country we represent, and sent this Bill to your Honour on the Fifth Instant, so that if the Time presses, or His Majesty's Service receives any Injury, the Delay must arise from the Instructions wherewith our Proprietaries have thought fit to restrict your Honour in this most Necessary Article of granting Supplies to his Majesty at this Critical Juncture.

"Your Honour has made no objection to our present Bill, except in that part only which regards the taxing the Proprietaries' Estate, which we have re-considered, and still think most equitable and Just, and have accordingly by an almost unanimous Vote of our House, adhered to the Bill, we do therefore once more send up this Bill for your Concurrence.

"Signed by order of the House,

"ISAAC NORRIS, *Speaker.*

"April 7th, 1759."

The Governor further informed the Council that General Amherst being now in Town, he had made him acquainted with the Nature of the Supply Bill and the Proprietary Instructions, and the Strong Objections he had to the Bill, as well for that it was unjust in itself as Contrary to those Instructions, and had furnished him with the Messages that had passed on this Occasion between him & the Assembly. That the General had sent for the Speaker and some of the Members, and had used his best Endeavours with them to pass such a Bill as had been agreed to for some Years past, but that finding them Obstinate, he had by his Brother let them know that he would withdraw the King's Forces, in case they did not raise the same Number of Provincials as served last Campaign; that this Afternoon he received a second Message from the House, mentioning this Resolution of the General's, and pressing him no longer to refuse his Assent to the Bill, since if he did, all these bad Consequences would lye at his door. Which Message was read in these words:

"May it please your Honour:

"The Bill for granting Supplies to His Majesty has now lain a Considerable Time before you for your Assent, and, as we are informed, General Amherst is obliged to return in a few Days, we hope you will give him the Satisfaction of seeing with what Chearfulness we have granted all his Demands from this Province, especially as we have reason to believe that if this Province does not furnish the same number of Troops as last Year, the General is of Opinion the

intended Offensive Operations, and building a proper Fort, and making Posts, effectually to cover the Country, cannot be carried on without weakening the Army that is to act elsewhere too much, and that he is therefore determined, if this Province does not exert itself in raising the same Number of Men as last Year, and that immediately, to give over the thoughts of acting on this Side, which cannot be done, without raising those Troops, with any Prospect of Success; and that he will reinforce the Army to the Eastward with the Troops he intended to have detached to have acted here.

"The Consequences of these Resolutions of General Amherst must unavoidably have great Weight with your Honour, and you will consider whether the Proprietary Instructions to refuse your assent to any Bill which shall Tax their Estates, except in the manner they have prescribed by a separate Bill, which we conceive is a mode unjust and unknown to a British Constitution, can vindicate your Conduct before our gracious Sovereign, and the Nation, who have granted such liberal Supplies for Support of their Colonies in America, which, if you continue to adhere to those Proprietary Instructions, rather than that the Estate of a Subject to the best of Kings shall be subjected to an equal Taxation, must fail as far as regards this Province.

"We therefore call upon you, as the Time for opening the Operations of this Campaign will not admit of any further Delay, as you regard your Duty to the King, and to the Province over which you have the Honour to preside, that you will no longer refuse your assent to the Bill now laid before you.

"Signed by order of the House,

"ISAAC NORRIS, Speaker.

"April 10th, 1759."

The Governor addressing the Council expressed the great Difficulties he was under; if he broke the Proprietary Instructions he would incur their displeasure and Subject himself to the Penalties in his Bond of Performance. If he adhered to those Instructions there would be no Supplies raised, and in Consequence thereof there would be no Troops to defend the Province, by which means His Majesty's Subjects would be given up to be distressed as they had been in the beginning of the War, by the French and their Indians.

He then desired the Members would in their Turns, give their Opinions as to what he should do, beginning with the youngest, which they did. In delivering of their Opinions it was observed that there was nothing new at this time more than in former years, and was the Supposed Obstinacy of the Assembly here, yet it could not be thought Right to make a Sacrifice of the Proprietaries to their Obstinacy, as the Governor was well Satisfied that the Bill was unjust, and that as he had entered into the Strongest Engagement to perform what was given him in Instruction by the Proprietaries, he could neither Answer it to his Conscience or Honour, or

to his Trust or Interest, to give his Assent to the Bill. That this Obstinacy in the Assembly was only Supposed, and indeed it did not appear to them that it was anything more than Artifice, because all the World would blame them if any ill Consequences attended the not raising Supplies, as the Governor offered to pass such a Bill as had been agreed to ever since the War Commenced, and for them not to Pass such a Bill now, would be too great a Risque to run, and what they would not do if the Governor would be steady.

That this Bill was infinitely worse than any that had been offered, since it Subjected the Proprietary Estate, Real and Personal, to all the Taxes which had been raised, from which they had been exempted in Former Acts, as well as to the present Tax, in Consequence of which they were to Pay more in One Year the Taxes of Four Years; and if these should be exorbitantly rated, it would not be in the Power of the Receiver General to raise the Money within the Time limited by the Act, and in that Case the Commissioners and Assessors might sell the Proprietaries' Lands, and so the Injury might become ten times heavier than the Exorbitancy of the Tax; indeed it could not be known to what Length matters might be carried, as they were chosen in a Time of Popular Rage and Fury and would Pride themselves in gratifying the Parties who were their Electors against the Proprietaries.

That this Bill deprived the Proprietaries of the Common Rights of Englishmen, which was to be taxed by their Peers, in which they were to have a Choice, whereas it is well known that the Proprietaries have not the least Choice, and being absent, they have even a Double Injustice done them, in that Let the iniquity be as great as possible, neither they nor any for them can appeal, as no such provision is made in the Bill.

That in all the Land Tax Acts made in Great Britain, Commissioners of good Estates and the best Credit are appointed, and all that the Proprietaries contend for is that the same Method should be observed in his Taxation.

That the act is not Capable of being understood, and has been variously interpreted in different Counties by the Assessors and Commissioners, who have declared they do not understand it in those Clauses where the very Tax itself is laid, by means whereof such a Latitude is taken, as that in some Counties a Twelve Penny Tax does not amount to more than a Six Penny Tax of the preceding year; and as to private people, some pay infinitely less, and some a great deal more than the Value of their Estates.

That their are References in this Act to the County Levy Act, and to all the Acts that have passed wherein any Provincial Tax has been laid, which Occasions the utmost Confusion.

That the Proprietaries have taken the Opinions of the attorney and Sollicitor General as to what part of their Estates is by Law Subject to be Taxed, and they are clear that no part of the Moneys due to them for the Consideration of Lands on the Warrants granted

in the Common Form ought to pay a Tax, from a known Maxim in Law, that the same Land cannot pay two Taxes, which would be the Case, as this Mony issues out of the Land that is Taxed in the Hands of the Debtor; and further, that unprofitable Lands and Lots ought not to be Subject to Taxation, and therefore as partizans have given out the several debts, and the Proprietary Lots and Lands, tho' they yield no profit, should be taxed here, would be another large Door open to injure the Proprietaries in a very Extraordinary Manner.

And further, that as the Proprietaries have laid their Governor under these Instructions, they will be answerable for all the Consequences arising from his Obedience to them; and therefore he cannot incur the Royal Displeasure, especially as there is reason to think that those Instructions were given with the privily and approbation of the King's Ministers, at a Time when the Publick Distress was greater than it is now. And it was unanimously agreed to press the Assembly once more, and to return the Bill with a Message now agreed upon.

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MEMORANDUM.

On Thursday the Twelfth, the Supply Bill was returned to the House by the Secretary, with a Message in these Words:

"Gentlemen:

"Before I take Notice of your two last Messages, of the Seventh and Tenth Instant, give me Leave to remind you that many months before I received your first Bill for granting the Sum of One Hundred Thousand Pounds to His Majesty, I repeatedly called upon you to raise such new Supplies as might be necessary to discharge the large arrears due to the Provincial Forces for their Service the last Campaign, and to secure our late Acquisitions to the Westward, and to carry into Execution the Vigorous Measures concerted by our gracious Sovereign for the Protection of his American Colonies. I could not, however, obtain a Bill from you till the twenty-fourth of last March. I was sincerely disposed to forward so necessary a Bill, and therefore waved may Objections, that might, with great Justice, have made against many material parts of it, particularly the Clause wherein it was declared that the last One Hundred Thousand Pounds was expended by my Consent, where in fact no accounts have ever been produced to me, and I was an utter Stranger to them. On the Twenty-Ninth of the same Month I returned you the same Bill with but two principal Amendments; one Calculated to explain, and set in clear and explicit Terms the mode of Taxing the yearly Income or Value of the Estates of the People, which, in that Bill and all the former Laws was obscure,

and liable to different Constructions and Interpretations, which must necessarily occasion Confusion, and the Taxes to be laid unequally.

"The other Amendment I proposed was the Exempting the Proprietary Estate in that Bill; but I at the same time acquainted you, by a written Message, that the Proprietaries were ready and desirous to Contribute their full proportion of the Sums already granted, or thereafter to be granted to his Majesty, if, on fair and equal Taxation of their Quit-Rents and appropriated Tracts, their former order of five Thousand Pounds should be found to fall short of such proportion, and offered to concur with you in a Separate Bill for that purpose. I had no other Motive in proposing a separate Bill and to expedite the supply Bill, which otherwise from such an Amendment as would include the Proprietaries Estate, and prescribe the Mode of Taxation, must be retarded, greatly to the prejudice of the Kings's Service, and the Common Cause. On receiving the same Bill from you a Second Time, I informed you, by a verbal Message, that to put an End to all Disputes at so critical a Season, I was willing to Pass a Bill of the same Nature and Import with the late laws for granting Supplies, passed in this Province in the preceding Years; to this I conceived you would have no just Cause of Exception, as you knew those Laws had received the Royal Assent, and that the Agents for this Province in England, were instructed to procure the Decision of our Superiors there, what Parts of the Proprietary Estate was legally Subject to Taxation, and Settle the Mode of doing it. You were pleased, however, to send me up a New Bill, subjecting the Proprietary Estate to be rated by Assessors, chosen by the People only, in Answer to which, in a Message of the Seventh Instant, I expressly told you, that I was restricted by my Instructions, from giving my Assent to a Bill for the Taxation of any Part of the Proprietary Estate unless Commissioners were therein appointed for that Purpose, notwithstanding which, to my great Astonishment, you have returned me the same Bill, intimating in your Messages that you will Suffer this Province to be exposed to all the Dreadful Train of Miseries and Calamities that must inevitably attend it, in Case His Majesty's regular Troops are withdrawn from it and our own Forces disbanded, and the vigorous Plan of Operations concerted by our gracious Sovereign for our Protection, and reducing his Enemies to reasonable Terms of Accommodation, to be defeated, unless I will pass the Bill, contrary to my Duty, Power and the Trust reposed in me. How far such a Conduct will be a proof of your Zeal and Chearfulness to Comply with the Demands of His Majesty, I must Leave to His determination, if you, by adhering to this Bill, put me under the disagreeable Necessity of laying the matter before him.

"In the present Critical Situation of Affairs, your resuming a Dispute which you have so often Waved in your former grants to the Crown, and which you know I have not Power to Settle with you on the Terms you insist upon, are but Weak Proofs of the Sincerity of your Professions.

"If the Proprietary Instruction is Injurious or Oppressive, can you be doubtful Gentlemen of Obtaining redress before his Majesty, by whom the Matter must be decided? If you have no Such distrust, why do you unreasonably take this Occasion to obstruct the Passing so important a Bill? It is true, Gentlemen, I dread the Consequences of your persisting in your late Resolution; I am sensible that if you will not grant the Supplies expected of you, we shall not only be compelled to abandon Pittsburgh and all the advanced Posts we gained in that Quarter, at a vast expence to the Crown, the last Campaign, but we shall lose all Credit with the Indians, and our Frontiers must be again Naked and exposed to the Incursions and Ravages of our Enemies; But if this unhappy Province must feel the Weight of these Miseries, I shall have the Satisfaction to Reflect, that I had done everything in my power for their protection, and that none of the Blood that may be spilt will Lie at my Door.

"Before I conclude, let me remind you, Gentlemen, that the Lives of your Constituents are now in your Hands, and depend upon your final Resolution with Regard to this Bill; that your Duty to his Majesty, yourselves, and your Country, demand of you, that the Supplies required of you be granted without further Delay, and that you ought no longer to insist on a Point which I have so frequently told you I have it not in my Power to comply with.

"WILLIAM DENNY.

"April 12th, 1759."

The Bill intituled "a Supplement to the Act intituled 'an Act for preventing Abuses in the Indian Trade, &c^a.,'" was likewise Sent to the House by the Secretary, with one Amendment thereon, and a Verbal Message that his Honour was ready to pass the said Bill whenever presented to him for that purpose.

At a Council held at Philadelphia, Friday the 13th of April, 1759, P. M.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

William Till,	Robert Strettell,	Esquires.
Benjamin Shoemaker,	Joseph Turner,	
Richard Peters,	Lynford Lardner,	
Benjamin Chew,	Thomas Cadwalader,	

The Governor laid before the Board the following address from the Assembly, presented to him on Wednesday by Two Members, which with the Affidavits, delivered therewith, were read.

A Message to the Governor from the Assembly.

"May it please the Governor:

"A Continuance of the distressed Situation and Circumstances of the Inhabitants of the borough of Lancaster, calls on us, in the most earnest manner, again to remonstrate to your Honour.

"That in manifest Violations of the Sections of an Act of Parliament, which have been extended here by an Act of General Assembly, and of other wholesome Laws, and the Civil Authority of the Government, the Military Officers have, by force, quartered a large number of Soldiers on the private Houses of that Burrough, committing great outrages upon the People, by Seizing and depriving of their Possessions and Property, assaulting their Persons (Magistrates not Excepted), in a Violent Manner, and by obliging them to Pay sums of Money for their Quarters, or to receive the Troops into their Private Families, Notwithstanding the Magistrates offered to Provide them convenient Houses for the Accommodation of the rest of the Troops, which were not billited on the Publick Houses.

"That this has been done in an unequal Manner to the great Terror of the Inhabitants, those whom the Officers have thought proper to favour have been favoured, and those whom they have thought proper to Distress have had a double Portion, tho' by no means so able to bear the Burthen as others who are exempted; that the Inhabitants still Continue under this grievous Load and Oppression.

"That there has not been the least Cause, or necessity, that we know of, to Justify these Arbitrary Measures; a Commodious Set of Barracks being erected near the City of Philadelphia, capable of receiving all His Majesty's Troops in the Province; that Building them in that Place only was occasioned by the Officers refusing to Quarter them any where but in or near the said City, tho' formerly warmly Solicited to Send a proportion of the Troops to Lancaster in particular, and the Several other Towns in the Province; otherwise a Part of the Barracks would have been Built in that Burrough.

"That a Number of Rooms in the Barracks are now, and have been, during the Winter, empty and ready to receive all the Soldiers thus Oppressively, unnecessarily and illegally quartered in that place.

"We are further obliged to remonstrate to your Honour, that the Loyal and affectionate Zeal the Inhabitants of the Borough and County of Lancaster have shewn for the Service of the Crown, in giving their utmost Aid and Assistance towards carrying on the Western Expedition, which has been happily crowned with Success, ought, in our Opinion, at least to have exempted them from Such Treatment.

"That the said Borough and County have Voluntarily furnished more than One-half of the Waggons required for Supplying the King's Troops with Provisions, for which the Deputy Quarter Master General declared they merited the thanks of the House.

"That without this large Supply of Carriages, the Western Expedition must have failed and many ill Consequences attended the Military Operations in these parts.

"After such Proofs of the Loyalty and Zeal of these People for the Service of the Crown, we cannot but apprehend the Oppression and Severe Treatment of that Borough will greatly discourage them, if not render them incapable of doing the same Service to his Majesty for the future.

"These Aggrievances are so great, and have been so long Continued, that we entreat your Honour to Consider not only the ill Effects to the Inhabitants, but to his Majesty's Service, which a Continuance of them must occasion, and that you would exert your utmost endeavours to obtain that Relief which is due to the People entrusted to your Care and Protection.

"Signed by order of the House,

"ISAAC NORRIS, *Speaker.*

"April 11th, 1759."

The Governor informed the Council that the Supply Bill was returned to him by the House, with a Verbal Message, Copy of which was delivered to the Governor in writing by the Two Members who brought the Bill, and it was read as follows:

That the House have taken into their Consideration his Message of this Day, and addhere to the said Bill by an unanimous Resolve; they therefore again return it to the Governor for his Assent, which should he continue to withhold, all the Consequences he has been pleased to mention in his said Message that may attend his refusal, will, in their Opinion, justly lie at his Door; and also, that the House have agreed to the Governor's Amendment on the Bill intituled "A Supplement to the Act intituled 'an Act for preventing Abuses in the Indian Trade, &c.,'" and have ordered the Same to be engrossed accordingly, that it may be passed into a Law.

The Message of the Governor to the House of yesterday was read, together with the Clause in the Bill relating to the Proprietary Estate, and Likewise the following Letter of the Eleventh Instant, to the Governor, from General Amherst, which was ordered to be entered in these Words:

"PHILADELPHIA, April 11th, 1759.

"Sir:

"Finding, upon my arrival here, that the Assembly of this Province still continued to refuse passing the Supply Bill, unless you made such Concessions as you don't think you can, without deviating from the Proprietary Instructions and Endangering your Sureties for the due performance thereof, I accordingly took an Oppor-

tunity of Confering with the Speaker and Several of the Leading Men of the Assembly, to show them the Necessity of their passing the Bill agreeable to your Proposal and Instructions, which I did hope they would, under the present pressing Circumstances, have been sensible of, and have had influence enough to have brought the House to assent to; but having failed in my Expectation, and finding they continued obstinate in their former Resolutions, I sent them a Message, of which the inclosed is a Copy, setting forth, as you will See, the absolute necessity of their Complying with the Measure proposed, or, that I should be obliged to give over all thoughts of carrying the intended Offensive Operations, and the Building a Fort, which, I imagined, would have had great Weight with them, notwithstanding which, it seems they are still Deaf to all kind of Remonstrances, and persist in their Obstinacy; But, as this must by no means prevent his Majesty's Instructions being put in Execution, and that they cannot be Complied with, unless the Supply Bill does Pass. I must, for the good of the Common Cause, and in order to enable me to Pursue His Majesty's Commands, beg of you, as I understand you did, upon a Similar Occasion, at the Request of the Earl of London, Wave the Proprietary Instructions, and give your Assent to the Bill as brought in by them, and I shall take the very first Opportunity of informing the King's Ministers with the Necessity of your so doing, that no Inconvenience may arise to you from the Same.

"I am, with great Regard, Sir,

"your most Obedient Humble Servant,

"JEFF. AMHERST."

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MEMORANDUM.

On Tuesday, the Seventeenth of April, the Supply Bill was returned to the House with a Message that his Honour would Pass it as soon as it should be engrossed, Compared and presented to him, and likewise that he would pass at the same Time the Supplement to the Act for preventing Abuses in the Indian Trade, that has been agreed to. Mr. Peters compared the said Bills with the fair Copies and found them to agree. At Five this Afternoon the Governor went to the Council Chamber, when the House by a Message from the Governor attended, and the Speaker presented a Bill intituled "an Act for granting to His Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the Manner herein after directed, and for providing a Fund for sinking the said Bills of Credit by a Tax on all Estates, real and Personal, and Taxables within this Province." Also the Bill intituled "a Supplement to the Act intituled 'an Act for preventing Abuses in the Indian Trade; for Supplying the Indians, Friends and Allies of Great Britain with goods at more easy rates; and for

securing and Strengthening the Peace and Friendship lately concluded with the Indians inhabiting the Northern and Western Frontiers of this Province." To which Bills his Honour was pleased to give his Assent by enacting them into Laws, and they were sealed and enrolled.

The Speaker then, in the Name of the whole House, presented his Honour with an Order on the Trustees of the General Loan Office for One Thousand Pounds, which his Honour kindly accepted.

At a Council held at Philadelphia, Friday, the 20th of April, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

Benjamin Shoemaker, Joseph Turner,
Lawrence Growden, William Logan, } Esquires.
Richard Peters,

The Governor laid before the Council Three Bills presented to him for his Concurrence. One Entituled "an Act for regulating the Officers and Soldiers in the Pay of this Province." Another Bill Intituled "an Act for Regulating the hire of Carriages to be employed in His Majesty's Service." Another Bill Entituled "an Act for Extending several Sections of an act of Parliament passed in the Thirty-second year of the present Reign, Intituled "an Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters."

An Objection was made to the Expression in the Bill for Continuing the Act of Parliament, vizt: That no Quarters will be assigned any where in the Province, unless Barracks were full, which were all read distinctly and Compared with the former Acts of the same Kind.

The Governor laid before the Council, for their Consideration, a Bill that had been Presented to him by the Assembly, Entituled "An act to prevent the Exportation of bad and unmerchantable Staves, Heading, Boards, and Timber." After its being read Paragraph by Paragraph, it was observed by all the Council.

1st. That the Bill was faulty for want of clear expressions in the most material Parts of it.

2d. That the Demensions and Qualities of the Staves and other Scantling, to be allowed as Merchantable, were not properly described.

3dly. That the Officer appointed by the Act was not acquainted with the Nature of the Duty required, and was in other respects likewise unqualified for the due Execution of his Office.

4thly. That the Clause giving the Assembly the future Appointment of the Officer, in Case of Death or removal, was invading the

Rights of Government by excluding the Governor from any Choice or Approbation of such Officer. That the Assembly had from time to Time, by divers Acts, reserved to themselves the sole Power of appointing Officers of great Trust and Profit, namely, the Trustees, Provincial Treasurer, &c^a, and seemed to have in View the Aggrandizing their own Power and weakening the Hands of Government by engrossing all Offices, and it was high Time to put an end to this growing Mischief, Destructive of the Royal Prerogative and of the Principles of an English Constitution.

5thly. That in Case of any Dispute arising between the Officer and Possessor of any Staves, Judicious Persons were by the Bill directed to be appointed by the County Magistrates only to determine such difference, and the City Magistrates were excluded from Executing such Power, tho' most of such Disputes must Necessarily arise within the City where all Staves, &c^a, are brought for sale.

6thly. That fines for Offences committed within the Limits of the Corporation, were given to it by Charter to enable them to do several things necessary and usefull for the City, and that by this Bill the fines were taken from the Corporation and given to the Hospital contrary to the Charter of Privileges and all former Laws.

7thly. As the Bill affected the Trade of the Province, and there was no pressing Occasion for it, it might be of use to take time and lay a Copy of the Bill before the Merchants for their Consideration, a Method that had often been taken and found of great Service.

8thly. That the Bill ought not to be perpetual but limited to a few Years, that Experience might discover in what respects it may hereafter be altered for the better.

Whilst the Council was sitting, a Bill was presented to the Governor Entituled a Supplement to the Act Entituled an Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessels, and, also, certain Duties upon Wine, Rum, Brandy and other Spirits, and a Duty upon Sugar, for Supporting and Maintaining the Provincial Ship of War, for protecting the Trade of this Province, and other Purposes for his Majesties Service.

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MEMORANDUM.

The Governor in the afternoon returned all the Bills before him to the House by the Secretary, with a Message that he would Pass them, when engrossed, compared and presented to him for that purpose.

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MEMORANDUM.

On the Twenty-first of April, the Council was Summoned to attend at the State House on the passing the Bills, but no Members

attended besides the Secretary. Such of the Bills as were engrossed were compared, and found right. The Secretary was sent with a Message to the House, that the Governor required their attendance of the Speaker and the House, in order to Enact into laws the Bills that had been agreed to.

The Speaker with the whole House came, and the Bills were passed, Entituled as follows:

"An Act to prevent the Exportation of bad or unmerchantable Staves, Heading, Boards, and Timber. A Supplement to the Act entituled an Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessels; and, also, Certain Duties upon Wine, Rum, Brandy and other Spirits, and a duty upon Sugar, for Supporting and Maintaining the Provincial Ship of War, for Protecting the Trade of this Province, and other Purposes for his Majesty's Service."

"An Act for Extending Several Sections of an Act of Parliament, passed in the Thirty-Second Year of the present Reign, Entitled an Act for punishing mutiny and Desertion, and for the better payment of the Army and their Quarters."

"An Act for Regulating the Hire of Carriages, to be employed in his Majesty's Service, and an Act for regulating the Officers and Soldiers in the Pay of this Province."

Mr. Hockley having resigned the Great Seal, the Governor took it into his Possession, and ordered a Warrant to be directed to the Secretary, but never signed it. The Seals were put to the Laws in his presence, Mr. Leech and Mr. Baynton attending to seeing it done, and then were entered in a Book provided for this Purpose.

The Assembly adjourned to the Twenty-first of May.

At a Council held at Philadelphia, Friday, the 11th of May, 1759.

PRESENT,

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Stretell,
Richard Peters,
Joseph Turner,
} Esquires.

The Records of the Supreme Court of Oyer and Terminer, enforming the Tryal of James Jones and Joseph Powell were read, by which it appeared that they were both under Sentence of Death for Burglaries.

The Judges, Mr. Allen and Mr. Coleman, came into Council and related the particulars of their Tryals. Being asked by the Governor if they had any thing to say in favour of them, or either of them, they declared there was nothing occurred to them in which they could recommend them to Mercy.

The Judges having made their Report, the Governor asked the Opinion of the Council, and all agreeing that neither from their Characters, nor the Circumstances of their respective Trials, did there appear any thing that could induce them to consider them as fit objects of Mercy.

A Warrant was ordered to be made for their Execution on Wednesday, the Twenty-third Instant.

At a Council held at Philadelphia, Thursday, the 24th of May, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esq., Lieutenant Governor.

Robert Strettell, Joseph Turner, } Esquires.
Lynford Lardner, Richard Peters, }

The Records of the Proceedings of the Court of Oyer and Terminer lately held for the Counties of Lancaster and York, by Mr. Allen and Mr. Growdon, Two of the Judges of the Supreme Court, were read, by which it appeared that at Lancaster, Margaretta Catharine Kirchin, a young Woman of about Seventeen years of age, was Convicted of the Murder of her Basterd Child, and under Sentence of Death.

Two Petitions, one to the Governor, and the other to the Judges, Signed by a great Number of the most reputable Freeholders of the County and Borough of Lancaster, were read, and the Judges concurring in Opinion with the Petitioners, that she was a proper object of Mercy, and it appearing from their relation of the Tryal, that it was not clear to them she murdered the Child, The Governor and Council were unanimous for a reprieve.

It further appeared that John Jones was tryed, Convicted, and Sentenced to Death for Burglary, and the Judges declaring him to be of a very bad Character, and recommending it to the Governor, if he did not incline to Pardon, as he had broke some Goals, to order a strict Care of him.

The Governor and Council were unanimous in Opinion that he was not a fit Object of Mercy, and a Warrant was ordered for his Execution on Wednesday, the Sixth of June.

It further appeared that ——— Durll, a Soldier in the Royal American Regiment, was under Sentence of Death for Murder.

The Judges gave a very Minute Relation of the Particulars attending this Tryal, and the Council being asked their Opinion, did not think him a fit Object of Mercy; the Governor thought it proper to acquaint Brigadier General Stanwix with this Tryal, and the Certificate of the Court was given them by the Secretary, & the

Circumstances as related by the Judges was told to him at the same time, and it was left under Advisement.

It further appeared that at York Sentence of Death was pronounced on One Andrew Lutuk, for the Murder of his Wife, and the Judges declaring it was a most Cruel and barbarous Murder, all were of Opinion that the Sentence should be carried into Execution, and a Warrant was ordered to have it done on the Ninth of June.

At a Council held at Philadelphia, Monday, the 28th of May, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor.

Robert Strettell,	Joseph Turner,	Esquires.
Richard Peters,	Lynford Lardner,	
Benjamin Chew,	Thomas Cadwalader,	

A Bill Entituled "an Act for recording Warrants and Surveys, and for rendering the real Estates and Property within this Province, more secure, presented to the Governor on the Twenty-Sixth for his Concurrence, was read over, and had afterwards a second reading, Paragraph by Paragraph.

Mr. Peters, the Proprietary Secretary, acquainted the Governor and Council that there were very few loose papers in the land Office Servicable to any Men's titles, Except the returns of Surveys from the Surveyor General's Office, which were generally forthwith examined and confirmed by Patent, and an Entry of the Patent under general Heads was made in Strong bound Books, and the Patents recorded at Length in the Rolls Office before they were delivered to the Party; That these returns are regularly filed and preserved in the Land Office; That the Surveyor General on receipt of any Warrants, which are Signed by the Governor as Commissioner of Property, directs Copies to his Deputys, with Orders to Survey the Lands agreeable to the Warrants; That the Original Warrants are lodged and filed in an Alphabetical Manner in the Surveyor General's Office, And with the Deputies returns are and always have been in loose Papers. But as soon as the Party who obtained the Warrant offers to Discharge the Purchase Money due to the Proprietaries, a Return of such Warrants and Survey is made into the Secretary's Office and entered at Large by the Surveyor General in Strong Bound Books. So that there are two Entries at Length of all Returns of Surveys, One in the Surveyor General's Office and the other in the Body of the Patent, recorded in the Rolls Office, besides the Original Return filed in the Secretary's Office.

Mr. Peters averred that all his Books were posted up to the Twenty-Second of April last; And Mr. Lardner, who had exam-

ined them, declared it was true, and that the Office Books and Papers were in good Order.

Mr. Peters did further declare, that the Credit of the Proprietary Officers was unimpeached, and the Certificates of the Officers had always been received, and allowed on Evidence in Courts of Justice, and that he had never heard of the least Imputation thrown upon the Probidy of the Officers, or their Want of Care in the preservation of the Office Papers.

And Mr. Chew, the Attorney General, declared, as he was frequently concerned in Land Causes in Several of the Courts of the Province and Counties, the Certificates of the Secretary and Surveyor General were always allowed as legal Evidence, and the Officers in good Esteem.

Mr. Peters further said that the Surveyor General was under Bond to the Proprietaries, and had taken an Affirmation of the preservation of the Papers belonging to his Office, and faithful Discharge of his Duty, and had taken and Subscribed the Affirmation to the Government, before One of the Magistrates of Philadelphia City, before he entered upon his Office. That he, Mr. Peters, had likewise given Bond to the Proprietaries for the Preservation of the Papers, and the faithful discharge of his Duty.

On Considering the Several Parts of the Bill, it was observed by the Attorney General, that if it was necessary to record Warrants and Surveys, and that the Recorder should give security and be under a Qualification, there could be no Occasion to appoint a new Officer for such Purposes, when the Secretary and Surveyor General might be enjoined to record all such Papers, and do every other Act required by this new Officer, without Multiplying Offices, which never fail to introduce Confusion and unnecessary Expence.

That the Clause directing the Officer to record general and particular Maps, Charts, or Draughts, made by any publick Surveyor, which shall be brought to him for that purpose, is, by design or mistake, vague or unlimited, and may extend to any Paper, though Forged or Fraudulently brought to him by a private Person The Mischiefs, Confusions, and evil Consequences of which, in a Course of years, must be obvious on first view to every one.

That the Bill directs that, in future, as soon as a Survey is made the Surveyor shall return the same into the Recorder's Office, there to be Recorded, which is irregular and Contrary to all order, and seems to imply that a bare Survey will give a Title, without Payment of the Consideration Money, and is Subversive of the Proprietaries' Rights and Estate, it being Notorious that such Surveys pass for Nothing till the Terms of purchase are complied with, and the Survey accepted into the Secretary's Office, who is the Proprietary Agent, and the Person with whom the Purchaser makes the Contract, be it of what Nature it will. The Surveyor is no more than a Minister who executes the orders of the Governor, who is the Proprietary Commissioner of Property, by a Commission granted

him for that Purpose. Either this Method is intended to defraud the Proprietaries, and utterly exclude the Governor from the Power given him, or, if the bare Survey gives no Title, the Recording it before the Transaction is Complete will Load the People with an useless Expence.

That the Assembly give themselves the Power of Nominating the Officer, which is a Monstrous Invasion of the Rights of Government.

That the Bond given by the Officer is to be only One Thousand Pounds, And the Penalty on the Secretary or Surveyor General for every neglect or Omission in delivering a Paper in their Offices is Five Hundred Pounds.

At a Council held at Philadelphia, Tuesday, the 2d of June, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	Richard Peters,	
Lynford Lardner,	Benjamin Chew,	
Thomas Cadwalader,		

The Bill for recording Warrants and Surveys &c^a, was again considered. The Governor proposed, as it was intirely a Law Bill, to request the Advice of the Judges of the Supreme Court, and Mr. Moland, and Mr. Ross, two Gentlemen of the Law, and to desire the Same of Mr. Stedman, President of the Court of Common Pleas, of whose knowledge and Judgment in the Law he had heard a good Character. And this being approved by every Member of Council, the Attorney General was desired to request this favour of them, and to forward a Conference with them as expeditiously as possible.

The Governor laid before the Board a Bill Sent up to him by the House, intituled "An Act for the more Effectual Suppressing of Lotteries and Plays," which was read and taken into Consideration.

The Members of Council acquainted the Governor they had been well informed, and believed it to be true, that this Bill was principally intended to destroy the College, Academy, and Charity School of this City, which was a most Noble and useful Institution; That some members of the House were known to have thrown all possible discouragements on it, and failing of Success they had probably fallen on this method to prohibit Lotteries, from which of Late the Academy had drawn its principal Support.

That Eighty poor Boys and Forty poor Girls were instructed Gratis in the School to Read, Write, and Cast Accounts, and the

Girls to Sew and do all Sorts of Plain Needle Work, under Two Masters and a Mistress.

That in the Schools there were One Hundred and Thirty Boys who were instructed in the Greek, Latin, and English Tongues, and were likewise taught at the Same time Writing and Mathematicks.

And that in the College there were above Twenty Students who were instructed by able Professors in all the higher Branches of learning Oratory, Euclid, Logic, Ethicks, Natural and Experimental Philosophy; that the Expences of Professors and Masters were very great, amounting to Thirteen Hundred Pounds a Year, and that all the Sums they received, from Such Scholars as paid, did not Exceed Five Hundred Pounds a year, so that they were at an annual Expence of Eight Hundred Pounds, which at first they raised by Subscription; but this proving too heavy upon a few Individuals, who had Subscribed largely towards the Support of this Useful Siminary of learning, they have of Late Supported this Expence by Lotteries, which had been uprightly managed by people of the best Credit in the Province, and the Prizes always paid with the utmost punctuality and Honour.

That there had been no Lotteries carried on in this Province other than for the most necessary and Charitable purposes, Viz^{t}: the Fortification of the City, the Defence of the Province in Time of War, and the finishing the Episcopal Church of this City, all which were managed with the greatest uprightness.

Further, that the Enacting, ajudging, and declaring all Lotteries in General, whether publick or private, to be Common and Publick Nuisances, was a high reflection on the Wisdom of the King, Lords, and Commons, who had frequently Erected them by Act of Parliament for the publick Utility.

But the Governor denied that this assertion was any reflection on the Parliament since Lotteries had been and might alwrys be erected by Act of Parliament, and in this Province, notwithstanding what is said here, any future Assembly might create Lotteries for useful Expences.

It was further observed, that the Prohibition of plays was a most unreasonable restraint on the King's Subjects from taking innocent Diversions, and that such an Act of this Province was passed in the Eighth Year of Her Majesty Queen Anne, when the Quakers made a Majority of the Assembly; but when it came before the Queen in Council it was disapproved, and Her Majesty Repealed the Act on the Twentieth of October, One Thousand Seven Hundred and Nine.

That the Laying a Fine on persons who should sell Tickets of Lotteries erected in any other part of the World would extend even to State Lotteries drawn in Virtue of Act of Parliament.

That by an Act of Assembly of this Province, passed in the Thirteenth Year of His present Majesty, entitutled "an Act for regulating Pedlars, Vendues, &c^{a}" Lotteries are prohibited under the Penalty

of One Hundred Pounds, One half to the Governor and the other half to the Informer. That this had the Effect intended by detering Persons from erecting Lotteries for private and bad Purposes, and no Lottery has been drawn since but for a Publick use, of which the present and preceding Governors have been so far convinced that they have both Licenced and encouraged them by Remitting their part of the Fine. This Act is therefore unnecessary, and should it take Place no Lotteries can be erected tho' for the most useful and Laudable Purposes.

The Governer informed the Board that having received the following Letter from General Stanwix of the Thirty-first of last Month, he had directed the Secretary to lay the Same before the House, which had been done accordingly, recommending it to them to take the same into immediate Consideration, and the letter was now read and ordered to be entered in these Words:

"PHILADELPHIA, May 31st, 1759.

"Sir:

"It being immediately necessary for his Majesty's Service, that the Hire, and impressing Horses and Carriages, should be settled by the Same Provincial Law as was past last Year, I must beg you will acquaint the Assembly of the Necessity thereof, and I must entreat your further application to them, for the immediate accoutring two Tro ps of Light Horse as the most necessary and useful Corps that can be brought into the Field for the Western Service.

"I beg leave also to represent to you that it would be proper to direct the Commissioners for Indian Affairs, to send with all Expedition Frederick Post and Isaac Stille, with proper Messages to the Indians; at the same time ordering them to Proceed by the Way of Wyoming, and to take four or five of the best disposed and most faithful Indians with them from thence, such as King Teedyuscung shall recommend.

"As these are matters of the highest Import to His Majesty's Service and the future Safety and Happiness of this Province, I doubt not but the Assembly will readily acquiesce in your Demands.

"I am, Sir, your most Obdi^{t}. Hum^{e}. Servant,

"JOHN STANWIX."

At a Council held at Philadelphia, Wednesday the 11th of June, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	Richard Peters,	
Benjamin Chew,	Thomas Cadwalader,	

Mr. Chew acquainted the Governor that the Bill for recording of Warrants and Surveys, and for rendering the real Estates and Property within this Province more secure, had been under the Consideration of Mr. Coleman, Mr. Moland, Mr. Ross, Mr. Alexander Stedman, and himself; And they all concluded in Opinion that the Bill, if Enacted into a Law, would prove injurious to the Inhabitants, and purposed to draw up their Reasons in Writing, and proposed to have them ready against to-morrow.

A Bill intituled "an Act for Re-Emitting the Bills of Credit of this Province heretofore Re-Emitted on Loan, and for striking the further Sum of Thirty-Six Thousand Six Hundred and Fifty Pounds, to enable the Trustees to Send Fifty Thousand Pounds to Colonel John Hunter, Agent for the Contractors, with the Right Honourable, the Lords' Commissioners of His Majesty's Treasury for his Majesty's Service," was presented yesterday to the Governor for his Concurrence, And the same having been sent to Brigadier General Stanwix and Colonel John Hunter for their perusal, Colonel John Hunter attended the Council, and after the Bill was read, he desired he might be indulged a longer Time for the Repayment of the money; And at the Instance of the Governor drew up his request in Writing to be laid before the House, in these Words:

"PHILADELPHIA, June 11th, 1759.

"Sir:

"Having been honoured with a sight of the Bill passed by the Honourable House of Assembly, wherein they are pleased to assist his Majesty with a Loan of Fifty Thousand Pounds Current Money of this Province, I am sorry to find that the Time limitted for the Repayment of this Sum is within the Space of Six Months, because I well know it will not be in my power to repay it in that time; nor do I think I can be justified to enter into any Engagements in behalf of the Right Honourable the Lords of his Majesty's Treasury, without time Sufficient being allowed me to lay such Engagement before their Lordships through the Hands of the Contractors, that their Lordships may also have time Sufficient to order (if they please) that the Sum in Sterling may be sent from England to redeem the Bills that are to be lodged in the Hands of the Trustees as a Security for the Repayment of the aforesaid Fifty Thousand

Pounds Currency; all which I humbly conceive cannot be done in less than Twelve Months from the Receipt of the Money; and therefore pray that that Time may be allowed me.

"I am ordered by His Excellency General Stanwix to add that he will esteem it a favour if you will be pleased to use your interest with the Honourable house of Assembly, to add Twenty-Five Thousand Pounds to the Sum they have been pleased to Vote, for the Assistance of His Majesty's Service, as he hopes that Sum would enable him to Grant his Warrant to Continue the Payment of the Sums due to those who have Demands for Services performed last Campaign, who remain in the utmost Distress for the Want of their Money.

"I am with all due Respect,

"your Honour's most Obe^{t} Hum^{e} Servant,

"JOHN HUNTER.

"To the Honourable DENNY, Esq."

The Bill was then read Paragraph by Paragraph, and it was observed that it consisted of two Matters that had no Connection with one another, vizt: The Re-Emition and the Loan to Colonel John Hunter, and that these two ought to be separated. As to the Loan the Council was unanimous that the Sum proposed, or even a greater Sum might be lent on its being repaid in the Time proposed by Colonel Hunter, and then Sunk without any prejudice to the Province or detriment to the Credit of our paper Money. And that a like request had been made by the General to the House, at the beginning of the Present Session, and rejected to the surprise of every Body. But now it appeared very plain that this was done with no other view than to tack it to the Re-Emission of their Paper Currency, thinking the Governor, who might with great Reason object to the Re-Emission, would be obliged to Grant it rather than loose the Loan of so much Money to the Agent, as the General would represent to the Governor that without such a Sum the King's Business could not go on; but this was so shameful an Attempt that it was hoped the General would see through it, and discountenance it.

Besides this so many other Objections occurred to the Council that there was not time to debate them, and, therefore, it was put off to another Day, and Mr. Peters was desired to Compare the Re-Emitting Act with former Acts, and to make his Report at the next Council.

A Letter from Brigadier General Stanwix, of the ninth Instant, was read in these Words:

"PHILADELPHIA, June 9th, 1759.

"Sir:

"Not being favoured with your Answer to my last Letter, desiring the Renewal of the Law for impressing Carriages for His Ma-

jesty's Service, I am under a Necessity of acquainting you that the King's Service is absolutely at a Stand, untill Waggons can be obtained for the Transportation of the Provisions, Ammunition, and Forage, requisite for the Western Army. I have taken all possible Methods to prevail on the Inhabitants of the Province to furnish Waggons for the above purposes, and have offered the most Advantageous Terms, ready Money, and every persuasive Argument I could devise; also, by appointing Persons of Reputation and Substance to Contract with the People in each County, in whose hands I have lodged Money to enable them to fulfil my Engagements, who have already published Advertisements, a Copy thereof is hereunto annexed, which shall be inserted in the next Gazette.

"Notwithstanding all these Steps have been taken, by the Returns made by those Gentlemen, I yet find, that on the Sixth Instant there were only Seventeen Waggons from Bucks, Fourteen from Lancaster, and Six from Carlisle, that could be engaged in the King's Service. In excuse for their Backwardness, the People allege that the Last Year's Services are not yet discharged, which is not my fault, as it is well known that every means in my Power for the raising Money to pay them has been taken, and that I have shewn my utmost readiness to Satisfy them, by paying the Commissioners' Certificates as fast as Money came in; so that unless the Legislature no Longer Delays to oblige the Inhabitants by Law, under a proper Penalty, that can be instantly recovered by a Summary Process, to furnish, upon the before mentioned Proposals, which no reasonable Man can object to, a sufficient Number of Carriages, the Advanced Posts must be abandoned, and that Country lost, which has cost the King and the Colonies so much Blood and Treasure.

"The Nature of this Expedition requiring the Service of Light Horse, and the Experience of Last Campaign proving their Utility, I must desire you, in the Strongest Manner, to require the Assembly to raise again the Two Troops they furnished Last Year, and to Establish a Post for the Communication with the Western Army.

"I am, Sir, Your most Obed^{t} and Hum^{e} Servant,

"JOHN STANWIX."

The Secretary was ordered to lay the said Letter before the House, and to acquaint them that the Governor very earnestly recommended it to them that the several Matters desired by General Stanwix might be Complied with.

Teedyuscung paid a Visit to the Governor, and after the usual Compliments, being asked if he had any thing to Communicate, he spoke as follows:

"Brethren:

"I thank you for your kind reception of me. I have no matter to speak upon of very great Moment at this Time; I came princi-

pally to see my Old Friends and to enjoy the pleasure of a little Conversation with them.

"Brethren:

"Agreeable to my Engagements at Easton, I have spread far and Wide the News of the Peace there concluded; I have given the Halloo, and many distant Nations have heard it and let me know that the Peace was extremely to their Minds, and that they would heartily join in any thing done by the Governor, at Pennsylvania, and Teedyuscung. I shall still continue my best Endeavours to gain over to the Peace more of the Indian Nations as I have Opportunity."

A Belt.

"Brethren:

"I received this String from the Unamies, on and beyond the Ohio, by which they assured me that they had heard of the good Work that was going on between me and the Governor of Pennsylvania, and that it gave them the utmost Satisfaction, and they would Concur with us in Establishing a firm Peace with their Old Friends and Brethren.

"This is their String.

"Brethren:

"I received another String of Wampum from the Indian Nations, settled on the Heads of the Susquehannah (by his Description of the Place it seemed to be from the Nations settled on the Cayuga Branch), they likewise Expressed their Joy at the Conclusion of a Peace with their Brethren, the English, and said they would Ratify what should be done by the Governor of Pennsylvania and Tudyuscung, and I now lay before you their String. These Indians desire the Governor would give them a Charge of Powder, for they were very poor and had not Powder enough to kill Deer for their Subsistence."

A String.

"Brethren:

"What I hear from all Quarters is good; the Indians seem desirous to return to their Old Alliance with their Brethren. My Heart is all Good."

The Governor thanked him for his kind Speeches, and said as he proposed to stay a little among his Friends, he would give him notice of the time when he should return him his Answer.

At Mr. Peters's.

Teedyuscung said he had omitted some things at the Governor's which he would recollect and tell to me, and after some pause he spoke as follows:

"Brother:

"I must mend my Speeches to the Governor; I don't speak to you, I speak to the Governor; let him know what I say, and put it to the other things I spoke in Council.

"Brethren:

"Here are Two Mohiccons from the Susquehannah; they came with me from Wioming; they brought me a String from the Mohiccons and Wapings, assuring me that they were heartily disposed for Peace, and would put themselves under Teedyscung, and join, with him and the Governor of Pennsylvania, in the good Work of Peace. I put them under the Wings of the Governor."

A String.

"Brethren:

"I have a small Complaint to make. My Uncles, the Mohocks, have sold Lands that they have not the least Pretensions to, no, not the Value of a Hickory Nut. I mean the Minisink Lands. These always belonged to a Nation of the Delawares, and our Uncles had nothing to do with them, nor could not dispose of them. Our Nations are not displeased with our Brethren, only as we have not received a Consideration for them. Think with yourselves about it, and give us what you Please."

This, Isaac Stille says, was sent to Teedyuscung by Phillip Compass.

"The Governor's Answer.

"Brother:

"I thank you for your assurances to Continue your best Endeavours to bring as many Indian Nations into the Peace lately concluded at Easton, as you are capable to Influence. I give you this Belt to assure you that I am your hearty Friend, and shall take a pleasure in doing every good Office to the Delawares, Unamies, Opings, and all other Indian Nations that shall return natural Alliance."

A Belt.

"I shall recommend the request of the Indians who are in Want of Powder, to the Provincial Commissioners, who set to-morrow, and Mr. Peters will acquaint you with their Resolution. I shall at at all times be glad to serve you or any Indians you recommend to me."

A String.

At a Council held at Philadelphia, Wednesday, the 13th of June, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr. Lieutenant Governor.

Robert Strettell, Joseph Turner, } Esquires.
Richard Peters, Benjamin Chew, }
Thomas Cadwalader, }

A Bill was yesterday presented to the Governor for his concurrence, was read, Entituled "an Act for the Relief of the Heirs and Devisees, and Assigns of Persons born out of the King's Liegance, who have been Owners of Lands within this Province, and have dyed Unnaturalized," And it was referred to the Consideration of the Attorney General.

Mr. Chew delivered a Paper containing the Observations made by the Gentlemen to whom the Bill for recording Warrants and Surveys, &c^a., was referred, which was read in these Words:

"*Observations on the Bill entituled "an Act for Recording of Warrants and Surveys, &c.,*

"Page 3d. All Warrants, Surveys, Books of Surveys, Maps, Charts, &c^a. made by any Public Surveyor or his Deputy, which shall be *brought to the Officer, are* by him to be recorded, &c^a.

"1st. Observa^n. If Every Paper brought to the Officer, said to be a Survey, Map, or Chart, must, of Necessity, be entered of Record by him, without proof made of its being genuine and Authentick, and made under proper Power and Authority, the Real Estates of the Inhabitants of this Province would then be insecure and precarious indeed, and the basest Forgeries might be committed, without a possibility of their being detected, as the Originals when Recorded, are not by the bill directed to be secured in any Office.

"Page 4th. Certified Copies of such recorded Papers are to be as good Evidence as the Originals themselves.

"2d Observa^n. This Clause destroys a Sacred Law Maxim, Viz^t. That the best Evidence shall be given in every Case that the Nature of the Thing will admit of. To admit therefore, a Copy of a Copy when the Original may be in being, would be extremely Dangerous. Exemplifications of Deeds recorded, are, by an Act of this Province, made Evidence, but in that Case such Deeds must have been either proved to be genuine by the Affidavit of one of the Subscribing Witnesses, or acknowledged by the Bargainer himself. In the Opinion of good Judges, that Act has gone too far; And it were to be wished that in no Case a Copy should be admitted as Evidence but in Case of the Loss of the Original, agreeable to the above Maxim.

"Page 5th. The Officer is empowered to sue for all Warrants, Surveys, Maps, and Charts, &c^a., made and signed by any Surveyor

or his Deputy, which *may* be of use to any Person claiming any Right to Lands, &c^a^ and when recovered he is to record them.

"3d Observa^n^ The Common Law has provided an adequate Remedy for Persons whose Papers or Title Deeds are in the Possession of another and detained from them by giving them an Action of Deteinure against the Wrong doer, wherein on due Proof of the Plaintiff, will Recover Judgment for Delivery of Such, his Papers or Deeds, or on the Defendent's Default, much Damages as an honest Jury may think proper to give him; wherefore, the above new and every Extensive Power given to the Officers seems quite unnecessary. But if it should be thought Expedient to constitute a Public Officer to sue for the redress of a private Damage or Injury, he should not have it in his Power to vex and harrass any Man, by bringing a Suit against him for any Map, Survey, or Paper, that *might be of use to any Person or Persons having or Claiming any Right to Lands in this Province.* That would give too much Power to the Officer, which he might abuse, and introduce Multiplicity of Suits and an Endless Scene of Confusion. His Power of Suing should be Confined to such Maps, Surveys, or Papers only as have been made by due Warrant and Authority, and such as are capable of being proved to be Authentick and are absolutely Material to the Title of Land granted to the Person or Persons requesting such Suit to be brought, or to some Person under whom they derive their Title. There should moreover be a saving Clause for Particulars, for a valuable Consideration, who are so much regarded that Even in Equity they cannot be compelled to disclose any Papers or Deeds they may be possessed of that may impeach their Title.

"Page 7th, 8, 9, 10, 11. Warrants, Surveys, and other Writings, under which the Purchasers of Lands hold and Claim, are said to be in the Secretary's and Surveyor General's Offices, in loose Papers, which are not recorded or entered in Books for that Purpose, and are liable to be lost, and the Secretary and Surveyor General are not under Security or Oath for the faithful Discharge of their Offices. To remedy which a new Officer is appointed to have free access to those Offices, and to record all Papers found there.

Observation. The Secretary and Surveyor General undoubtedly ought to give good Security to the King in trust for the People, and be under the tie of an Oath for the faithful Discharge of their Duty. It is, also, highly reasonable, and for the publick Advantage, that they should be enjoined by Laws, under a Penalty, to Record all Warrants, Surveys, Draughts, and other Loose Papers in their Offices, respectively in Books for that Purpose, and that their Offices should be erected into Publick Offices, and be free and open to the Search of all Persons applying. This when done will fully answer all the Ends proposed by the Bill in appointing a new officer to record such Surveys, Warrants, &c^a^ as remain in the said Offices,

unless it may be thought expedient in case of any accident, or loss of such Papers by Fire, &c^a., to have Duplicates taken and preserved in some other Place, but such Duplicates or Exemplications of them by no means ought to be admitted as Evidence, while the Originals are in being.

"Page 13, 14. Every Warrant to issue in Future is to be sent to the new Officer as soon as it is obtained, and when the Survey is made the Surveyor, or his Deputy, is to make return of the Courses with a Map of the same, to the said Officer, to be recorded immediately under Penalty of Fifty Pounds, &c^a.

"Observation. Every Warrant granted by the Proprietaries Agent, or Commissioner of Property, is conditional, and by the Express terms of the Warrant is void unless the Terms of Purchase are complied with, and the Consideration Money paid by the Purchaser. The Contract is Executory, and no Title Vests till the Terms are performed, wherefore no survey should be entered or recorded till the Purchaser had Complied with his Agreement. Besides the Surveyor General's Business and Duty is to revise and examine the Works of his Deputy, and to Correct any Errors they may commit, which are as often to the prejudice of the Purchaser as the Proprietaries, and no Survey should be entered till he has examined it, and the Secretary or Proprietaries Commissioner of Property has certified that he has accepted and confirmed it.

"Sir:

"We have perused and attentively Considered the Bill referred to us by your Honor, entituled "an Act for recording Warrants and Surveys, &c^a.," And are of Opinion it is a Bill of the utmost Importance to the Freeholders of this Province, and deserves the greatest Care, Judgment and Skill in its Formation. We therefore have made the foregoing Observations thereupon, which we think very material, and are

"Your Honour's most Humble Servants,
"WILLIAM COLEMAN,
"BENJAMIN CHEW,
"JOHN ROSS,
"June 12th, 1759. "JOHN MOLAND.

"To the Honourable William Denny, Esqr."

The Governor and Council approving the Remarks and Reasonings of those Gentlemen, It was thought proper that the Bill should be returned with the following Message, which was delivered by the Secretary, together with the above paper of Observations.

A Message from the Governor to the Assembly.

"Gentlemen:

"The Bill Entitutled "an Act for recording Warrants and Surveys, &c." appearing to be a Law Bill, I referred it to the Consid-

eration of several Gentlemen skilled in that Profession, who have made many Just Observations upon the Defects of the Bill, and reported that they are of Opinion such a Bill is of the utmost Importance to the Freeholders of this Province, and deserves the greatest Care, Judgment and Skill in its formation. I cannot therefore give my Assent to it as it now stands, but have ordered the Secretary to return it to you for your further Consideration, and lay before you the Gentlemen's Remarks upon it, that in a Case of so great Moment wherein the Estate of every Landholder is concerned, nothing may be neglected or omitted that may tend to Secure and Establish their Just and Legal Rights, and every provision may be made to guard against the Frauds of the artful and Evil disposed.

"WILLIAM DENNY.

"June 13th, 1759."

The Re-Emitting Bill was read again, and Mr. Peters reported that he had compared all the Clauses relating to the Re-Emission with former Re-Emitting Acts, and found of all them rightly transcribed except one, and that a very material one, which related to the Proprietaries, to whom in the former Acts an Allowance was made of a certain annual Sum as a Compensation for their Loss in receiving their Quit-Rents in paper Bills, at the Rate of the Queen's Proclamation, which were payable in Sterling. This Mr. Peters said was entirely omitted, and was a piece of down-right Injustice, inasmuch as if the Bill passed, the Proprietaries would be obliged to receive no more than Sixteen pence Currency for a Shilling Sterling, when every other Person in the Province for Bills of Exchange would get from Sixty to Seventy-five ℔ C^{t} according to the Current Exchange.

The Council concurred with Mr. Peters that this was a most flagrant Act of Injustice, and then proceeded to mention many other Objections, Viz^{t}: That such a Wanton Re-Emission of Paper Money at a time when we had already Three Hundred and Eighty-five Thousand Pounds in Paper Money, would greatly Sink their Value. And He recollected that when the Eighty Thousand Pounds was first Struck the Money Sunk in Value from fifteen to twenty-five ℔ C^{t} And tho' the late Additions to the Currency had not yet affected its Credit, it was owing to the great Demands for Supplying the Army in America, but if a Peace should in a few Years be Concluded, it was evident the Bills of Credit must sink in their Value, to the ruin of Merchants, Widows, Orphans and others, who were supported by Money placed at Interest.

It was further urged that this was contrary to a Royal Instruction founded on a warm Address of the House of Commons in the year 1740, and that it was Contrary to the Proprietary Instructions, which expressly forbid the Governor to Re-Emit Money for so long a Term.

And lastly, that there was no necessity for a Re-Emission at this Time, the Bills having a Currency for Three years yet to Come. The Assembly, therefore, could have nothing else in view by the present Bill than to gain to themselves the sole Disposition of the Interest Money, which amounted to near Fifty Thousand Pounds, a Sum almost equal to what was proposed to be lent to Colonel Hunter.

The Governor reminded the Council of the several Letters received from his Majesty's principal Secretaries of State, and the Commanders in Chief of the Forces in America, and the Obligations he was laid under to promote the King's Business. They knew as well as he, the Obstinacy of the Assembly, and that they would have things done in their own way or not at all. He was sorry for any injury that might be done to the Proprietaries, but their private interest was by no means to be put in Competition with the Operations of the Campaign. After which his Honour ordered the Bill to be amended and made like former Acts in such Parts as related to the Proprietaries. And it was accordingly Amended and returned to the House with the Amendments, against the unanimous Advice of the Council, with the following Verbal Message.

The Governor returns the Re-Emitting Bill with Amendments, and a Letter from Mr. Hunter, desiring an additional Loan of Twenty-Five Thousand Pounds, and that the Term of Twelve Months may be allowed for the Repayment of the Seventy-five Thousand Pounds.

If the House inclines to grant this request, the Governor will chearfully concur with them in such further Amendments as this will require.

The Governor likewise lays before you a Letter from Brigadier General Stanwix, relating to raising two Troops of Horse, and earnestly recommends the General's proposals to the House.

"Amendments to the Bill Entituled 'an Act for Re-Emitting the Bills of Credit of this Province heretofore re-emitted on Loan, and for striking the further Sum of Thirty-Six Thousand Six Hundred and Fifty Pounds, &c^a.'

"Page 44. Dele from the Word [the] in line 4 to the word [appoint] inclusive in Line 6, and instead thereof insert [as by Act or Acts of General Assembly of this Province hereafter to be made, shall be directed and appointed, and not otherwise.]

"Page 48. After the Word Practice in the 6th Line insert as follows, Viz^t: [*And be it enacted by the Authority aforesaid,* that the Bills of Credit, the Currency whereof is Continued by this Act, shall at all Times during their Re-Emission as aforesaid, that is to Say, until the Fifteenth Day of October, which will be in the year of our Lord, One Thousand Seven Hundred and Sixty-Nine, be

accepted and taken by the Receiver General for the Time being, in discharge of such Quit-Rents as are now due, or shall become due to the Proprietaries of this Province on Grants of Lands or Lots which were made before the year One Thousand Seven Hundred and Thirty-Two, in like manner as is provided by an Act of Assembly Entituled 'an Act for the more effectual preserving the Credit of our paper Money, &c.,' passed in the Twelfth year of the present Reign; and by the aforesaid Act passed in the Nineteenth year of the present Reign; and in Consideration of the Premises, the allowance of one Hundred and Thirty Pounds yearly, provided by the said acts, shall be continued and yearly paid as the said act directs, during the Re-Emission of the Bills of Credit aforesaid, that is to say, until the aforesaid Fifteenth Day of October, in the year of our Lord, One Thousand Seven Hundred and Sixty-Nine."

"WILLIAM DENNY.

"June 13th, 1759."

A Letter from General Stanwix to Gover. Denny.

"PHILADELPHIA, June 12th, 1759.

"Sir:

"Having considered your proposal to me this morning in regard to the Troops of Light Horse to be formed out of the Pennsyvania Provincials, so absolutely Necessary for his Majesty's Service, and particularly for keeping open the Communication between Fort Bedford and Pittsburgh, assisting in the Escourts of Convoys of Provisions, Stores, and Indian Goods, &c.: And whereas, last year the greatest part of the Horses, Saddles, and Briddles were lost, in my Opinion from the Campaign being extended to so great a Length, but am informed the Commissioners attribute the Loss to Carelessness or neglect somewhere; and as the Assembly may be willing to raise, at my so often repeated request, two Troops of Horse, at Fifty each Troop, provided the Province can, in the Ensuing Campaign, be secured against such Carelessness and neglect, in order, therefore, that this so essential piece of Service may be provided for by the Commissioners of this Province, I am content that all the Horses shall be appraised at an average, and I will undertake for His Majesty, that all such Horses, except such as shall be killed or unavoidably destroyed by the Enemy, shall be paid for agreeable to the appraisement by indifferent persons; the remainder, after the Campaign, I undertake shall be delivered into the Hands of Persons appointed for the Commissioners, who shall receive them at Fort Bedford, the first Post of the Pennsylvania

Settlements on this side of the Allegheny Mountains, they giving receipts for the Same.

"I am, with the greatest respect & Esteem,

"Sir, Your most Obed^{t} Hum^{e} Servant,

"JOHN STANWIX.

"P. S.—If any Horses remain that were in the Service last year, I desire they may be put into the Light Horse this Campaign."

At a Council held at Philadelphia, Saturday the 16th of June 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell, Richard Peters, Benjamin Chew, Lynford Lardner, Thomas Cadwalader, } Esquires.

A Letter from Mr. Horsfield of the Fourteenth Instant was read, acquainting the Governor that Isaac Nutimas, a Son of Old King Nutimas, who many years past lived at Nescopecken, but since the War has moved up the River to Diahoga, came yesterday to Bethlehem, and in Conversation related he was pretty sure that the Indians would not do any Mischief on the Frontiers of this and the Neighbouring Provinces, but that they intended if possible to take one or more Forts on this side Fort Duquesne, and if they suceeeded in taking one of the strongest Forts, the expect then to get much Provision and Ammunition, and doubt not but Pittsburgh and every other Fort to the Westward will fall into their Hands. They did not (Isaac added) intend to take a Fort by force, but by Stratagem.

The Re-Emitting Bill being again sent to the Governor with a preremtory Message from the Assembly that they rejected the Amendments relating to the Proprietaries, the same was read in these Words.

"The Assembly's Answer to the Governor's Amendments to the Bill Entituled 'an Act for Re-Emitting the Bills of Credit of this Province heretofore re-Emitted on Loan, and for striking the further Sum of Thirty-Six Thousand Six Hundred and Fifty Pounds, &c^{a}.'

"Page 44—Line 4 to 6. The House unanimously adhere to the Bill.

"Page 48, after the Word Practice, in the 6th Line. The House unanimously reject the Clause proposed to be added to the Bill."

In pursuance of Colonel Hunter's request to enlarge the Time for redeeming the Bills of Exchange and Repayment of Money Lent, The House do agree to allow a Year, or Twelve Months,

instead of Six Months, as it now Stands limitted by the Bill, and that the Bill be amended accordingly.

The further request of enlarging the Sum of Fifty Thousand Pounds is not agreed to by the House, who, in that respect, adhere to the Bill as it now stands.

The Matter was again Considered, and the Governor was advised to reject the Bill.

The Governor expressed great uneasiness at the disagreeable Situation he was in, being between his Duty to the King and People on one Side, and to the Proprietaries on the other Side; and produced a Letter from Brigadier General Stanwix, advising him to Pass the Bill.

It was observed that when this Letter was wrote the General could not be made acquainted with the peculiar Act of Injustice done to the Proprietaries, And that if he was informed of this he might withdraw his advice rather than be Accessory to so cruel a piece of Injustice. The Secretary was, therefore, ordered to acquaint the Brigadier General with this fresh Obstacle.

It was observed by all the Members that such Letters from General Officers would not Authorize the Governor to give his Assent to Acts which were unjust in themselves, and hurtful to the People, or justify him in breaking his Instructions from the Proprietaries. But the Governor was of a different Opinion.

The Governor acquainted the Council that the Bill for recording Warrants and Surveys, &c^a., was returned to him, with a Message from the House, and a proposal of such Additions and alterations as they presumed would take off all Objections to it, which were read in these Words:

"May it Please your Honour:

"In pursuance of your Message of the Thirteenth Instant, we have taken under our Consideration the Observations your Honour has been pleased to Send down with the Bill Entituled 'an Act for Recording Warrants and Surveys, &c^a.,' and have made the Additions and alterations herewith transmitted, which we presume will take off all reasonable Objections; and as the Bill is of the utmost Importance to the Freeholders of this Province, we return it, and desire you will be pleased to give your assent to it as it now stands.

"Signed by order of the House.

"ISAAC NORRIS, *Speaker.*

"June 14th, 1759."

"Amendments to the Bill Entituled 'an Act for Recording Warrants and Surveys, &c^a., and for rendering the Real Estates and Property within this Province more Secure.'

"Page 4, Line 4. After the Word [aforesaid] insert [the same being first acknowledged by the Surveyor or his Deputy by whom

made, before one of the Justices of the Peace in this Province, which Acknowledgement the said Justices are hereby authorized and empowered to take.]

"Page 5, Line 13. After the Word [which] insert [ought to have been returned and lodged in either of the said offices and.]

"Page 14, Line 2d. After the Word [shall] insert [deliver a true Copy of such Survey to the Person or Persons so requesting the same, and.]

"Page 14. Dele the Word [the] in the 4th line, and Lines 5, 6, 7, and instead thereof insert after the Word [into] [the Surveyor General's Office, under the Penalty of Fifty Pounds, and the said Surveyor General shall, and he is hereby enjoined and requested to examine and correct the Same, and within Twenty Days after he shall make or receive such Return shall, under the Penalty of Fifty Pounds, transmit and deliver over the same Survey so corrected to the Officer appointed by Virtue of this Act, that the same may be recorded in manner aforesaid.]"

These alterations proposed by the Assembly were compared with the paper of Observations laid before the House, and It was found that they were trifling, and in every material part left the Bill just as it was. The Governor desired that the Assembly's Message and proposed alterations might be Communicated to Mr. Coleman and the other Gentlemen for their Judgment thereon.

Mr. Chew, to whom the Consideration of the Bill for the Relief of the Heirs, Devisees and assigns of Persons born out of the King's Legience, &c^{a}, was referred, reported that by Law an Alien had a Power to Purchase Houses, Lands and Tenements in Fee, and had a Capacity to take but not to hold the same, but they became escheatable and forfieted on an Office found; and that the End of the Bill was to take away the Right of such Forfieture and vest the title in the Devisees or Grantees of Aliens' Lands within this Province. The Governor alledged that Foreigners had been induced to come and settle here in Expectation of having their Estates, tho' Aliens, made good to them and their Heirs, and that such a bill would be a very great Encouragement for them to Continue to come over and Settle in the Province, & directed the Secretary to return the Bill with a Message to the House, that he assented to it and would enact it into a Law, when it should be presented to him for that Purpose.

The Secretary likewise delivered to the House the Bill Entituled "an Act for the more Effectual Suppressing and preventing of Lotteries and Plays," with the following Amendments:

Page 1st. Dele from the Word [Philadelphia] in the 3d line to the Word [to] in the 9th Line, and instead thereof insert the Words [which tend].

Page 8, Line 5. Dele the Words [passing of this act] and instead thereof insert the Words [The first Day of January which will be in the Year of our Lord One Thousand Seven Hundred and Sixty].

A Message was delivered to the Governor in Council by two Members, acquainting him that the House had agreed to the Amendments of the Bill against Lotteries and Plays, and that this Bill and the Bill in favour of Aliens were engrossed. That the House desired to know his Result on the other Bills before him, and that all Business might be finished this afternoon, as it was very inconvenient at this Season for the Country Members to be absent from their Farms. The Governor told the Members it was impossible to go through the Business before him to-day, but that he would give it all the Dispatch in his Power.

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MEMORANDUM.

On the Seventeenth of June, Mr. Peters reported to the Governor that he had made Brigadier General Stanwix acquainted with the Injustice that would be done to the Proprietaries by the Assembly's rejecting the Governor's Amendments; And that he expressed great Concern at the Assembly's Obstinacy. That he had frequently, both at the time and since General Amherst was here, endeavored to Convince them of the unreasonableness of insisting on gaining Points from the Proprietaries, and extorting Rights from the Government in their Supply Bills, And that such Conduct was an abuse of the Power placed in them by the People. But they told him plainly that this would, in all likelyhood, prove the last Campaign, and that they should never have such an Opportunity again, and therefore let the Consequence be what it would, they would not pass a Bill unless they could at the same time obtain what they thought just against the Proprietaries, and preserve such Powers and Privileges as they knew they were entitled to, and the Proprietaries wanted to deprive them of. General Stanwix added he was sensible they had no regard to the Crown in what they did, and that he always had and would hereafter set this matter forth to the King's Ministers in its true Light, that these Acts of Injustice (which the Governor was obliged to do out of regard to the King's Service) might not be confirmed.

At a Council held at Philadelphia, Monday the 18th of June, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	Richard Peters,	
Lynford Lardner,	Benjamin Chew,	
Thomas Cadwalader,		

The Governor informed the Council that he was pressed by the Assembly for his result on the Re-Emitting Bill.

That he had collected the Letters of the Secretaries of State and of the Several Generals, and he desired they might be read, or such parts of them as related to Supplies, and after those were read, the Governor observed that he could not help considering himself as laid under express Commands by His Majesty to forward, not impede the General Service. That he had heard at divers Times, much said by the Council in favour of the Proprietaries, But they had observed a remarkable Silence as to the King's Letters which were sent to him from time to time by the King's Ministers and Generals; That the Council ought to Remember that Loyalty and Obedience was due from them to the King, as well as a regard to the Proprietaries.

The Council Expressed much Surprize at such unmerited Treatment from the Governor, and declared that his insinuations of the wanting Zeal for the King's Service had not the least Foundation, for they had on all occasions heartily concurred with the Governor in pressing the Assembly to pay the most Dutiful Regards to the Kings's Commands signified by his Ministers, and in promoting any demands made by His Majesty's Generals, and they had in their respective Stations devoted their Time and Trouble without Fee, or reward, to forward the Service all in their Power, and this was the first time they were charged, or ever Suspected, of Want of Loyalty to the best of Kings, and it was the harder as it came from the Governor, who they had heard and believed was determined to Pass the Bill, not so much from regard to the Letters from the Generals or Ministers as from other Causes which were well known. They had indeed said, and do still say, that the Governor cannot stand excused in establishing Injustice by Law.

The Governor was pleased to repeat what he said before, and then declared he would pass the Bill, upon which Mr. Chew read a protest in the name of the Council that had been drawn up and approved by the Members before the meeting of the Council, on their having heard it was said, by some of the Members of the Assembly, that they were sure of the Governor's Assent, and that he had privately stipulated with them for that purpose on certain

Terms agreed on between them, and the Governor Answered that the Report was false and Scandalous.

The Governor was Pleased to take notice of that part of the Protest where the Tack is mentioned, and said it was a shameful thing, and could wish a proper Message might be drawn to be laid before the Assembly, but the Council desired to know if the Governor would adhere to such Messsge, and on his Honours answering that he could not tell what he should do if it should be rejected by the House, The Council declined drawing any Message.

The Governor demanded of Mr. Chew the Paper of Protest, which he had read; and was Answered that it was only a rough Draught, but he would transcribe it and then deliver it to the Clerk of the Council after having delivered a fair Copy thereof to the Secretary; the same was read, and it follows in these Words:

"The Council Protest against the Governor's Assenting to the Bill Entituled an Act for Re-Emitting the Bills of Credit of this Province heretofore re-Emitted on Loan &c^{a}, for the following Reasons, vizt:

"1st. Because the great Quantity of Bills of Credit that have lately been struck in this Province for his Majesty's Use, to the Amount of Three Hundred and Eighty-five Thousand Pounds, sufficiently Answers all the Purposes of Trade and Commerce, for which End alone the use of Paper Money was first invented, and so great an Addition as Eighty Thousand Pounds at this Time would greatly endanger the Credit of our Money. It is well known that after the above sum of Eighty Thousand Pounds was first emitted, our Money sunk in its Value from Fifteen to Twenty-five ℔ C^{t}, and 'tis evident that its Credit must diminish in the like Proportion upon the Increase in its Quantity.

"2dly. For that by the Act of the Nineteenth of His Present Majesty, Part of the Bills of Credit thereby directed to be re-Emitted on Loan, will be Current for more than Three Years yet to come; and in the Mean Time the Quotas which Yearly ought to be sunk by the Trustees, would reduce the Quantity of such Bills, and in Case of a Peace within that Term there would be less danger of the Rise of Exchange and Depreciation of our Paper Money, to the Ruin of Orphans, Merchants, and Trading Part of this Province, and Great Injury of the English Merchants, who would thereby be very much affected.

"3dly. Because the Bill for re-Emitting, &c^{a}, hath not a Suspending Clause till his Majesty's Pleasure shall be signified therein, according to a Royal Instruction sent to the Governor of this Province in the Year One Thousand Seven Hundred and Forty, in Consequence of the Address of the Honourable House of Commons, which said Instruction appears by the Opinion of the late Dr. Dudley Rider to extend to in and to be yet in Force.

"4thly. For that by the Bill, the Interest Money arising on the Loan of the Eighty Thousand Pounds is to be disposed of by the

Assembly only; and the Governor, who is the King's Representative here, and a Branch of the Legislature, is excluded from any share in the Disposition thereof. We look upon such a Power, lodged in the hands of the People's Representatives, to apply and dispose of Publick Money without Controul, to be inconsistent with the Principles of an English Government, and to have a most dangerous Tendency. The Assembly of this Province never exercised or claimed such a Power till it was granted them by a Law passed by Governor Keith, which has been Continued to them by Temporary Acts down to this Time; But the Assembly have of late in so many Instances abused that Power, and Wantonly dispensed with the Law, that it is high Time to curb them in a Matter of so much Importance; many Instances of their Abuse of this Power might be produced; one is Manifest on the Face of the Present Bill, by which it appears that no more than One Thousand Six Hundred and Fifty Pounds is to be struck Compleat. The Eighty Thousand Pounds re-Emitted by the Act of the Nineteenth of George the Second, No more then than One Thousand Six Hundred and Fifty Pounds has yet been sunk by the Assembly, altho' by the First Act the Sum of Twenty-Six Thousand Six Hundred and Sixty-Six Pounds, Thirteen Shillings and Four pence, ought to have been burnt and destroyed in October last, so that Twenty-five thousand and Sixteen Pounds, Thirteen Shillings and four Pence is now circulating against a Positive Law.

"5th. The several Accounts of the Emissions and Re-Emissions of our paper Money, which are very perplexed, ought to be regulated and settled before any new Emission, if hereafter it should be necessary, otherwise from Length of Time and the Intricacy of so many mixed transactions, such Confusion must arise as will render it impossible to be done.

"6th. Because by this Bill no Provision is made to Pay the Troops; a yearly Sum out of the Interest Money is an equivalent for his receiving the Bills of Credit at Thirty-Three and one-third for his Quit-Rents due to him in Sterling, as the Assembly have heretofore thought themselves Obliged in Justice to do by the Acts of the Twelfth and Nineteenth of George the Second.

Lastly. These Protestors cannot help observing on the Extraordinary Conduct of the Assembly in lately rejecting, by a great Majority, the Proposal of Sending to the Agent, and to the Contractors, to the Right Honourable the Lords Commissioners of His Majesty's Treasury a Sum of Money for His Majesty's Service, and their now tacking a Bill Purpose to the Above re-Emitting Act; The Assembly seem determined to take Advantage of the present Distresses of the Province and the Critical Situation of the Publick Affairs, and will not Send the Money required for His Majesty's Service unless they can at the Same time gain an undue Power to themselves. These Protestors should most Zealously and chearfully concur in advising the Governor to Pass a seperate bill to lend any

Sum of money to the Contractors to forward the present Expedition to the Westward, but they conceive the tacking of Bills to be unparliamentary and of very evil Tendency, and think themselves for the above Reasons obliged in Duty to advise the Governor to reject the whole Bill."

In the afternoon the Governor returned the Bill with a Message that he withdrew his Amendments, and would pass it when presented to him for that Purpose.

Mr. Chew reported that the Message of the Assembly and the Altercations proposed by them relating to the Bill for recording Warrants and Surveys, &c., had been Considered by Mr. Coleman, Mr. Ross and himself, Mr. Stedman not being in Town, and Mr. Moland not coming to them according to his appointment, and they were clearly of Opinion that the prosed Amendments did not remove any of the material Objections, and were trifling and immaterial.

The Governor reminded the Council that he had some time ago mentioned Mr. Moland as a proper Person to be called to the Board. The Members said theye remembered it well, and as they all of them then expressed their good Opinion of that Gentleman's Abilities and Integrity, expected he would have been again mentioned by the Governor before now; He was therefore proposed and unanimously approved, and Mr. Peters was desired to acquaint him therewith, and to request his Opinion on the Assembly's Messages and proposed Alterations to the aforesaid Bill.

At a Council held at Philadelphia, Tuesday the 19th of June, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor,

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	William Logan,	
Lynford Lardner,	Richard Peters,	
Benjamin Chew,	Thomas Cadwalader,	
John Moland.		

Mr. Logan expressed his satisfaction at Mr. Moland's being made a Member of Council.

Mr. Moland took the Oaths and made and subscribed the Declaration enjoined by Act of Parliament, and likewise took the Oath for the faithful Discharge of his Duty as a Member of Council for the Province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, in Delaware.

Mr. Moland acquainted the Governor that he had carefully perused the Message and Papers of proposed alterations, sent by the

Assembly with the Bill for recording of Warrants and Surveys, &c., and had, together with the other Gentlemen, given his Judgment in Writing thereon; Which was produced by Mr. Chew, and read in these Words:

"We have carefully considered the Assembly's Amendments to their Bill Entituled 'an Act for recording Warrants and Surveys, &c^a.,' and are all clearly of opinion that the Amendments made do by no Means satisfy the Defects of the Bill taken Notice of in our late written report to the Governor, and that in the most Material Points mentioned in our said Report, the House has not made the least Corrections or offered any Amendments at all.

"WILLIAM COLEMAN.
"BENJAMIN CHEW.
"JOHN MOLAND.
"JOHN ROSS.

"June 19th, 1759."

Mr. Peters observed that both by the Commission of Government and Property, the Surveyor General and Secretary were put under the Governor's immediate Protection; And therefore, as they had never misbehaved, and there was such a Confidence reposed in his Honor by the Proprietaries, towards them and all other Proprietary Officers, he requested, and hoped the Governor would be pleased to extend to them, on this and all Occasions, that Protection and Countenance which by his Commissions they had just Cause to expect.

Many objections were made by Mr. Chew and Mr. Moland, besides those contained in the Paper of observations, to almost every part of it, and in the Course of their Arguments they declared that the faults of the Bill were so many, and the plan so unjust to the present Officers, who were acknowledged to have behaved well in their Offices, so injurious to the just Rights of the Proprietaries, and might prove so destructive to the Estates and Property of the Inhabitants, that it was not possible to amend the Bill; but that if another was drawn at more leisure, and on the plan of the Observations, it might be considered and made a very useful Bill, And therefore advised the Governor to reject the Bill, and to desire the House to form another. The Members concurring in Sentiment with the Governor, the Bill was sent to the House with the following Message:

A Message from the Governor to the Assembly.

"Gentlemen:

"I have Considered your Amendments to the Bill Entituled 'An Act for recording Warrants and Surveys, &c^a.' and conceive they by no means Answer to remove the Objections I laid before you, some of the most Material of which, I must observe, you have passed over without taking any Notice of them. The Bill, as it now

stands, is so very exceptionable, that it is hardly possible to amend it, without framing it anew; Therefore, I am under the Necessity of refusing my Assent to it, and recommend it to you, when it suits your leisure, to make a new Draught on the Plan of the Observations I lately laid before you.

"WILLIAM DENNY.

"June 19th, 1759."

MEMORANDUM.

On the Twentieth the Governor ordered the Secretary to compare the three Bills to which he had given his Assent as they were engrossed, with the Originals, and this being done the Governor sent a Message to the House requiring their Attendance in the Council Chamber, where they came, and three Bills respectively entituled as follows, viz.: "An Act for re-Emitting the Bills of Credit of This Province heretofore re-Emitted on Loans, and for sfriking the further Sum of Thirty-Six thousand Six Hundred and Fifty Pounds, to enable the Trustees to lend Fifty Thousand Pounds to Colonel John Hunter, Agent for the Contractors with the Right Honourable the Lords Commissioners of His Majesty's Treasury, for His Majesty's Service:" "An Act for the Relief of the Heirs, Devisees and Assigns of persons Born out of the King's Legience, who have been Owners of Lands within this Province, and died unnaturalized;" and "An Act for the more effectual suppressing and preventing of Lotteries and Plays," were enacted into Laws.

The Speaker presented the Governor with an Order for One Thousand Pounds on the Trustees of the General Loan Office, for which his Honour returned thanks to the House, and acquainted his Honour that the House inclined to adjourn to the second Day of July next, to which the Governor made no objection.

Mr. Lardner and Mr. Logan were of opinion as the Bill for recording Warrants and Surveys very much concerned the Proprietary Rights and Estate, that it should be sent to the Proprietaries and detained by the Governor till he was furnished with their Sentiments upon it.

At a Council held at Philadelphia, Thursday, the 5th of July, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr., Lieutenant Governor.

Benjamin Shoemaker,	William Logan,	Esquires.
Richard Peters,	Benjamin Chew,	
Thomas Cadwalader,	John Moland,	

The Governor laid before the Council a Bill presented to him yesterday for his concurrence, Entituled "An Act for recording

Warrants and Surveys, and for rendering the real Estates and property within this Province more secure," together with a Message from the Assembly and a Paper signed by Mr. Joseph Galloway, all which was read.

A Message to the Governor from the Assembly.

"May it Please your Honour:

"We have carefully considered the Observations sent down with the Bill entituled "An Act for recording Warrants and Surveys, &c^a.," and have framed a new One upon the Plan of that formerly laid before your Honour. In this Bill we have taken in such parts of those Observations as we Judge reasonable and necessary, and we cannot but observe that the other parts of them appear to us contradictory to each other, or inconsistent with the Usage of a British Parliament, our own Province, and that of a neighboring Government. We herewith Send such Remarks made upon those Observations by a Gentleman of the Law, a Member of our House, in Point of Law and Reason, as we hope will prove Satisfactory to your Honour, and obviate all Objections, and that upon Considering the great Importance of this Bill to the Freeholders and Inhabitants of this Province, you will be pleased to give your Assent to it as now sent up by the House.

"Signed by order of the House,

"ISAAC NORRIS, *Speaker.*

"July 4th, 1759."

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Remarks on the Observations on the Bill entituled "An Act for recording Warrants and Surveys, &c^a.:"

"Remarks on Observa^n. 1st.

"The Surveys, Maps, Charts, &c^a., directed to be recorded by the Bill, are those made by the Surveyor General or his Deputies, Officers appointed by the Proprietaries for that Purpose, who give security *to them* for the faithful Discharge of their Duty, and ever have been deemed Publick Officers. Their Handwriting is generally well known, and must be certainly so to an Officer who is constantly receiving Surveys from them. These Papers have ever been returned to the Surveyor General's Office, without any proof of their being genuine or Authentick, or made under a proper Power and Authority, unless the Care Certificate or Signing of the Deputy may be esteemed a Proof; if so, 'tis what the Bill implicitly requires, so that the real Estates of the Inhabitants will not be either so insecure or precarious as they at Present are, the Officer to whom such Surveys, &c^a., are to be brought and returned in order to be

recorded, being under the Sacred Tye of a Legal Qualification, and good Security to the Publick to execute his Trust with Fidelity, which the present Officer does not do, but on the Contrary gives private Bond to the Proprietaries, who in this respect can only be Considered as private Persons, whose Interest is as incompatable with the People's, as that of any Buyer or Seller whatsoever.

"Nor will the Surveys, &c^{a}, directed to be recorded, be more subject to Forgery without being detected, from the Originals not being preserved, than Deeds enrolled in Great Britain or in this Province, the Originals whereof are not directed to be secured in any Office, but delivered back to the Owners thereof after the enrollment. However, if a Proof by Witnesses, or the Acknowledgement of the Surveyor, will render the real Estates of the People more Secure, and the Securing them in the office when recorded may tend to detect Forgeries, as it cannot injure the Bill, and only put the people to the unnecessary Expence of a Copy, perhaps rather than lose the Advantage the Public will receive, it will be best to amend the Bill accordingly.

"Remarks on Observa^{a}. 2d.

"This Observation contains an evident Contradiction to the first, which insists that the Originals ought to be *secured* in some office, and in this and the fourth Observation that Exemplications of them *by no means* ought to be admitted as Evidence while the Originals are in being. Now none can conceive how an Original Survey, or other Paper which is to be secured in some certain Office, can be made use of in evidence in the several Courts of Justice in this Province, some of which are an hundred miles distant from one another, Unless they can conceive it possible for the same thing to be in two different Places at the same time. But further to show the Mischief of this Position, some Surveys continues the Lands of many different people, who are equally interested therein; to trust the Originals out of the Office to either of the Persons interested would be rendering the Rights and Title of the others precarious and insecure. If not lost, by frequent carrying about, they must in time be worn out, or so defaced as not to be legible, and therefore rendered of no use.

Warrants and Surveys are two of the most Essential Links of the chain, upon which all the real Estates in the Province depend, Many of them singly are absolutely necessary to make out the titles of many different Persons, and many of them have been lost or destroyed by their remaining in the Proprietaries private Office without being recorded. And it being highly unsafe and inconvenient, that the Originals in which so many are concerned should longer remain in this loose and precarious Situation, The Legislature intended by this Bill to remedy these Inconveniences by instituting an Office or Common Repository for them, where they

may remain on Record in Custodia Legis, under the Care of a sworn Officer empowered to give exemplifications of them, and such exemplifications are declared to be as good Evidence as the Originals. But if in no Case under this Law Maxim, an Exemplified Copy is to be admitted in Evidence, but in Case of the loss of the Original, and that Original is to be by Law secured in some office, What method shall a Man take to Prove his title in the different Courts of Justice in this Province, or before the King and Council in case of an Appeal? Has not the necesssity of the Case prevailed on our Judges since the settlement of the Colony to admit even Certified Copies by the Surveyor General without Seal, who is not under Oath or Authorized by Law for that Purpose? Are not proved Copies or Exemplications of the Inrolment of Deeds by the Stat. of Enrollments, and Several other Statutes made for registering of Deeds, &c^{a} in the several Parts of England, declared to be sufficient Evidence? Is not the Chyrograph of a fine good Evidence? The Chyrographer being by Law appointed to give out Copies of the Agreement between the Parties, that are lodged of Record.

But this sacred Law Maxim seems to be both misunderstood and Misapplied. It never was extended that I can find, to Exemplifications of a Deed inrolled, or other Record, by the Officer under Oath, and appointed for that purpose. The Rule will hold good where a person who is presumed to have an Original deed in his Possession, and without Proof of its being lost, destroyed, or out of his Power, Offers a Copy of it in Evidence. Here the Copy is not the best Evidence the nature of the Case will admit of, for the Original is better, which for aught that appears, the Party might produce, and that not being, it induces a Suspicion that the Original, if produced, would make against him, and therefore the Copy is ever rejected. But to apply this Maxim to Exemplification of Deeds or other things Examined and recorded by a Sworn Officer, and entrusted to give out such Exemplifications, is so far from being the Opinion of the best Judges, that it strikes at and Contradicts the Policy and Wisdom of the Legislature of our Mother Country, as well as our own.

Remark on Observa^{n} 3d.

'Tis true the Common Law has provided a Remedy for Persons whose Papers and Title Deeds are in the Possession of another. But that Remedy is no. adequate to the Mischief by this Bill intended to be avoided. There are many particular Warrants and Surveys under which different Persons claim, and to which many different people have an equal Right, and yet it is impossible all should possess them. And it is by no means consistent with that Security which should ever attend Real Property, That another should keep the Muniments of my Right who may loose or even destroy them at his pleasure, to my great Prejudice. Beside, there are sundry particular papers belonging to the Publick, in which no

Individual is separately concerned, for which no Action of Deteinure can be brought, and which ought to be recovered and entered on Record. To remedy these Inconveniences, the Assembly, by the Bill, have appointed a Publick Officer to Collect, sue for, and recover, and when recovered, to record all such Papers, that the Publick and all the Parties concerned, may have free access to and full Benefit and Advantages from, whenever his or their Title is impeached or called in Question, which End and purpose the Action of Deteinure at Common Law could never answer. And therefore the Legislature of New Jersey, a Province with respect to the recording Warrants and Surveys lately very much in our Circumstances, have invested their Publick Officer with the same Powers invested in the present Bill.

As to the new and very extensive Power (as 'tis called) of the Officer appointed in the Bill. It is expressly confined to Warrants *granted by the Proprietaries* and *Surveys, Charts, &c., made and signed* by a publick Surveyor or his Deputy. Many of which have never been returned to any Office, nor has the Subject a power by any Law to oblige and enforce such a Return, by which means numbers of Purchasers, for a valuable Consideration, have been rendered incapable of showing their Right., and of course deprived of it. These Officers, under the Proprietaries, gives Security to them for the faithful Discharge of their Duty, and therefore there can be little Danger of their making and signing Surveys without due Warrant. and Authority. Nor can there be any doubt but the Court where the Suit is brought, in this Case as in all others, will Oblige the Party to Prove the Papers Authentick, and that they were made and signed as the bill directs by the Proprietaries or their Publick Surveyors, without which the Officer, as the Bill now stands, could not be entituled to recover. The Power given the Officer by this Bill is much more confined and limitted than in the like Case in New Jersey, where that Multiplicity of suits and endless Scene of Confusion, so much dreaded as the Consequence thereof, has never yet happened, nor is it reasonable or indeed Charitable to think this abuse will ever happen, as it cannot be done without the Officer's incurring the Penalties of Perjury and forfeiting his Bond, the greatest Security the Law know of, without receiving the least Benefit from this henious Offense and great Risque.

And as to the saving Clause mentioned in this Observation, no good reason can be offered for inserting it in the Bill, as the remedy thereby given, extend no further than that before mentioned at Common Law, with respect to the recovery of the thing sued for, and never could be construed to abridge a court of equity (had we such a one at first) of its power to favor an innocent Purchaser for a Valuable Consideration without Notice. For if a Person has the Deed of another, and a suit or action of Deteinure is brought at the Common Law for it, it is no good plea that he is a Purchaser for a

valuable Consideration without Notice, but the Plaintiff will either recover the Deed or full Damages for the Detention. To insert such a clause would take away even the Subject's Remedy at Common Law.

Remarks on Observa^{n} 4th.

"The Secretary's and Surveyor General's Offices were originally instituted by the Proprietary, as his Private Offices and private Security has been ever taken from the respective Officers for the faithful Discharge of their Trust, and I have been informed they likewise are under oath for that Purpose. To oblige by Law the same Persons to give Security to the Publick, and to take an Oath for the Discharge of their Duty to the People who are under the like ties and Solemn Obligations to private Individuals, which the Proprietaries as to matters of property certainly are, would be a Strange and novel piece of Legislative Policy. It would be imposing on him the hard task of Serving Two Masters, whose Interests in this respect are as diametrically opposite as the Interests of any Buyer or Seller whatsoever: For whatsoever Surveys of Land are lost or destroyed, or the Purchaser thereby rendered incapable of making out his Right, The Land of Course reverts to the Proprietaries, who may sell the same to another, while the Heirs and Representatives of the first bona fide purchaser are deprived of their Property. Of this there has been many Instances, and some of them may be readily shown to any impartial Judge; From whence it is evident that the real Properties of the People cannot be Safe and Secure, but in having the Muniments and Evidences which concern their Possessions and Inheritances in the Hands of Officers under the more coercive obligations to preserve them, and perfectly free and disengaged from the Interest and Influence of the Proprietaries or any other Persons whatsoever. Of this Opinion was the late and present Chief Justice and one of his Brother Judges, when they advise the annexing a Power of recording Warrants and Surveys not in the Surveyor General's but in the master of the Rolls. 3 votes, p. 261."

Remarks on Observation 5th.

"It is the constant practice with the Proprietaries, before a warrant is granted, to oblige the person to pay down part of the Consideration Money, and for the Residue they charge Interest until the whole is paid. A Warrant and Survey returned into the Surveyor General's Office, without more has ever been adjudged by all our Courts of Justice, to give a good Title as well against the Proprietaries as all Subsequent Purchasers, and this is founded on an Original Covenant on Record with the people. It has therefore been declared by very good Judges, and particularly the late Chief

Justice John Kinsey, That the Right vested in the People on the Payment of the Money and granting of the Warrant, and that the Proprietaries having an adequate Remedy at law both for the Purchase Money unpaid and the Rent agreed for, could have no right to vacate their Warrants granted to the People for a Valuable Consideration. But Suppose Argumenti Gratia, That these Contracts are Executory, and that the Proprietaries have the Mischievous and unreasonable Power of Vacating them at Will, tho they are possessed of a part of the Consideration, Is it possible that the Recording the Evidences of an Executory Right can injure any person whatsoever? Will not the Condition appear on record, and the true Right and Interest of the parties be thereby rendered more easy and secure?

"By the Clause directing the Deputy Surveyor to return the Surveys as soon as made into the office instituted by the Bill, The House, I conceive, intended to prevent an Innocent Purchaser from being deprived of his Prior Right of Discovery of Vacant Land, and to guard against the Mischiefs which the Delays of the Deputy Surveyors in making their Returns often occasion, by giving Opportunities to others of discovering the same Land, and to himself or the Surveyor General, or Commissioner of Property, of favouring a favourite in prejudice to the first Discoverer, against which Act of Injustice the Subject has no kind of Security, as neither the Commissioner of Property or the Surveyor General or his Deputies are under any legal Tye or Qualification to do Justice to the People agreeable to the Policy of all good Laws; But as these Mischiefs may be in a great measure avoided, and the Objection made to this Part of the Bill removed, by directing the Deputy Surveyor to return his Survey as soon as may be after it is made into the Surveyor General's Office, where it may be revised and examined by the Surveyor General and the Proprietary's Commissioner of Property, and afterwards returned into the Office appointed by the Bill, within a Convenient Time, It may be prudent to amend the Bill accordingly.

"General Remark.

"Upon the whole, as the present insecure and precarious state of the people's real Estates and Inheritances is fully acknowledged in Observation 4th, and that the Officer who is to be intrusted with the Evidences of their Titles ought to give good security, and be under an oath for the faithful Discharge of his Duty; and as it seems evident, from the plainest Convictions of Reason, that that Officer should be free and perfectly disengaged from any Interest or Influence whatsoever, and particularly from that of the Proprietaries, That he should be invested with a Power of suing for Warrants and Survey, recovering and recording them, and that his Exemplifications thereof should be admitted as Evidence in our Courts of Justice. 'Tis hoped the Governor may be prevailed upon, on further Consideration of this reasonable and necessary Bill, and the

Amendments which shall be made therein by the House, to enact it into a Law.

"Submitted with all due Respect to the House by
"JOSEPH GALLOWAY."

Mr. Galloway's remarks were read a Second Time, together with the Observations to which they are said to be an answer, and the Council observed that it must be Evident to every one that in the material Points the Observations were either misunderstood or perverted, evaded, or insufficiently answered, and would Introduce the utmost Confusion in the titles of the Estates of the Inhabitants, and were particularly injurious to the Just Rights of the Proprietaries and their Officers, and as to the second Bill, it differed very little from the first, and none at all in the most exceptionable parts, and was upon so bad a plan, and so defective, that it could not be amended. And it was surprising to all the Council that the House should pay so little regard to the Governor's Message when he rejected the last Bill.

Mr. Moland acquainted the Council that he had, at the request of the Governor, put down in writing the Heads of a Bill which he thought would fully answer all the good Purposes intended by the Present Bill. And on its being read, it was the unanimous opinion of the Council that it should be transcribed and recommended to the Assembly, which was done with a Verbal Message delivered by the Secretary in these Words:

"The Governor Commands me to return the Bill entituled "an Act for recording of Warrants and Surveys, and for rendering the real Estates and Property within this Province more secure," and to inform the House that he cannot give his assent to it as it now stands. But if the House desires it, he will Communicate by the Secretary, the Heads of such a Beneficial and reasonable Bill as he is willing to Pass, the necessary amendments being too numerous to be inserted in the present Bill. And at the request of the House, the Paper was delivered to the Speaker, and is in these Words:

"Heads of an act for erecting the officer of Secretary and Surveyor General of the Province of Pennsylvania into Publick Officers, and for erecting a new Office for entering and recording Warrants, Surveys, Draughts, Papers, and Vouchers relating to the Lands of the Inhabitants of this Province.

"It may be Inconvenient for the People of this Province of Pennsylvania in general, that the Offices of Secretary and Surveyor General, so far as relates to the title of Lands, should remain Private Offices, considering the great Interest of the People therein respectively, and in case of accidents by fire or otherwise, it will be very beneficial for the Province to have Duplicate Entrys of all Warrants, Surveys, Draughts, Maps, Minutes of Property relating

to Lands, in a proper Office to be erected for that Purpose: Therefore, be it enacted, &c^a^ that the said respective Offices known by the respective names of the Office of Surveyor General and Secretary's Office, so far as relates to Lands or the Title thereof, in this Province of Pennsylvania, And the Officers executing the same respectively, shall be and shall be deemed and taken to be to all intents and Purposes, Publick and Provincial Offices and Officers, and the said Office respectively hereafter shall be kept in the City of Philadelphia, where all Person and Persons shall have free access at the times hereafter appointed for that Purpose, and shall be called by the respective Name and Names aforesaid; and that all Warrants from the Surveying, Locating, and laying out of Land Surveys, Maps, Charts, Minutes of Property, and other Papers or Writings whatsoever, relating to any lands in this Province, which have heretofore been drawn, made, or Written, and are or ought to be in the said Offices, or in the Custody or Power of the said Officers, or either of them, shall be and shall be deemed and taken to be to all intents and Purposes, Public Writings, Records or Papers, wherein as well the Proprietaries as the People of the said Province respectively are interested; And that all Warrants, Surveys, Maps, and Charts, and other Papers or Writings whatsoever, (except Minutes of Property) relating to Lands as aforesaid, have heretofore or which shall hereafter be drawn, made, or written by virtue of or under any Person or Authority from the Proprietaries aforesaid, shall be lodged and deposited in the said office of Surveyor General, and the said Minutes of Property in the said Office of Secretary, as heretofore hath been used. *And be it further enacted by the Authority aforesaid*, That any Copy or Copies of such Warrant or Warrants, Survey or Surveys, Maps, Charts, or other Writings, or any and every of them, Signed and Certified by the said Surveyor General for the Time being, and proved to be a true Copy or Copys of such Original Warrant or Warrants, Surveys, Maps, Charts, or other Writing or Writings, or any of them, shall be a good Evidence in all Courts of Judicature of this Province and elsewhere, as such Original or Originals may or can be.

"*And be it enacted by the Authority aforesaid*, That the said Surveyor General and Secretary (who are to be appointed and give such Security as hereinafter is mentioned) shall forthwith provide proper Books respectively of good Parchment, or the best paper that may be had, in which Books, so to be provided by the Surveyor General for the time being, shall be lodged and entered by him or his Deputy, or Deputies, all such Warrants, Surveys, Maps, Draughts, Charts, and other Papers and Writings as aforesaid, in a fair and Legible Hand Writing; And the Pages of every such Book and Books shall be numbered, as well as every several Writing Copied therein; And in every such Book and Books shall be made and Written an Index, in an Alphabetical Manner, of the Name and Names of the respective Townships and

Counties in this Province where the Lands respectively lay, to which each and every Writing, Draught, or Paper, entered or to be entered in every such Book & Books shall relate, and each and every Denomination shall refer to the Page where each and every respective parcel of Land in each respective Township is or are entered in such Book and Books; And, also, there shall be made and Written in every such Book and Books an Index, in an Alphabetical order, to each and every of the name and Names of every first Purchaser of each and every Tract, Piece, or Parcel of Land whereto any of the said Draughts, Writings, or Papers do or shall relate respectively; and each of the said names shall refer to the Page or Pages where such Name or Names are respectively mentioned in any of the said Entries, for the more Speedy and ready finding out each and every distinct and Seperate Writing, Draught, or Paper so to be entered in such Book or Books as aforesaid (and the same for the Secretary's, &c[a])

"*And be it enacted by the Authority aforesaid*, that the said officers respectively shall, upon application made to either of them respectively for such purpose, make such Diligent Searches for each and every of the said Warrants, Surveys, Draughts, Maps, Charts, Writings, and Papers whatsoever as aforesaid, as shall be required of them, or either of them respectively, by any Person or Persons whatsoever, for each of which Searches the said respective Officers shall receive and be paid them Sum of , and no more; and the said Secretary and Surveyor General respectively shall, upon demand, give a Certificate or Certificates of such Search or Searches being so made; and that they or either of them have or hath not found (as the truth shall be) such Warrant, Survey, Draught, Map, Paper, or Writing, so Searched for as aforesaid; and for such Certificate the said Officers respectively shall take and receive , and no more. And in case they or either of them, the said Secretary or Surveyor General, shall give a false Certificate or Certificates, he shall forfeit to the Party or Parties grieved treble Damages, to be recovered by Action on the Case in the County where such Offence or Offences, Default or Neglect, shall be so committed."

"How the Officers are to be appointed or Nominated.

"To be sworn.

"To give security for the faithful Discharge of their respective Duties.

"In case of Death, Officers how to be appointed.

"Officers making false or Fraudulent Entries, to be punished as for Forgery under the Stat.

"And every Person Forsworn in any of the Cases aforesaid, shall be liable to the same Penalties as if the Oath had been taken in any Court of Judicature in this Province.

"Then Erect a Duplicate Office.

"The Entries in the Duplicate Office all to be sworn to be true Copys of the respective Originals and Papers from whence Copied.

"The Same Clauses and Regulations as to the Duplicate Office, as far as applicable, as Drawn respecting the Offices and Officers.

"Certificates from the Duplicate Officer to be as good Evidence as the Originals, Where they cannot be had, or Copys immediately from them.

"Fees to be taken by the Officers respectively, and Compensations for their respective Services under this Act.

"Nothing herein contained shall be Construed so as to effect, alter, confirm, or invalidate any Contracts with the Proprietaries, which are or shall be unperformed, but that the same shall remain and be in such State and Condition as if this Act had never been made."

A Letter of the Twenty-Seventh of June, from the Judges of the Supream Court of the Lower Counties, was read, acquainting the Governor that a certain John Willey, who had shot William Outten, the Sub-Sheriff of Worcester County, in Maryland, had been indicted of manslaughter, and plead guilty, and was burnt in the Hand.

It was recommended to the Governor to write a Letter to Governor Sharpe, and to Send him a Copy of the Judge's Letter.

The Secretary desired his Minutes might be read of the preceding Councils, he having wrote them fair, on separate Sheets, in which all was put down that was said, on each Bill, distinct by itself. The Governor was pleased to say he would appoint a Time on Purpose to have the Minutes read over, and appointed Mr. Chew and Mr. Lardner a Committee, with the Secretary to revise them.

At a Council held at Philadelphia, Saturday the 7th of July, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

William Logan, Benjamin Chew, Richard Peters, Thomas Cadwalader, } Esquires.

The Governor informed the Council that having received a Letter from General Stanwix, dated at Lancaster the Second Instant, he had yesterday sent an Extract thereof to the House, with the following verbal Message:

"Sir:

"I am Commanded by the Governor to lay before the House, an Extract of a Letter he has just now received from Brigadier General Stanwix, and his Honour most earnestly recommends the General's request to their most immediate Consideration."

Extracts from General Stanwix's Letter to the Governor.

"For God's Sake, Sir, press the Assembly for the same Law as last Year, with the Penalty of Twenty Pounds, tho' it be but for four or five months; it will be of infinite use to us.

"The Light Horse must not be forgot; to grant which, I hope the Assembly will Comply, if the Commissioners cannot do it of themselves; every Body tells me that the Service on the Communication will go on very heavily without them.

"A Post was regularly kept last year by the Assembly for the Communication; hope they will not treat me worse than they did General Forbes."

And then His Honour laid before the Board the following Message, which he received this morning by Two Members, who acquainted him that the House desired to know his final result on the Bill for recording Warrants and Surveys, now before him, as soon as possible, as they design to adjourn this afternoon to the Tenth day of September next:

A Message to the Governor from the Assembly.

"May it please your Honour:

"We have considered the Several Requests of General Stanwix sent down by your Honour, and are of Opinion that had the late General Forbes complied with his Contract in furnishing Forage and paying the Inhabitants for their Waggon and Horse Hire last year, there had been no use or occasion for a further Law to impress Carriages, nor would such Occasion Continue, were those Contracts even now paid off and discharged, as both His Majesty's Service and Justice to the People loudly demand; For there can be no doubt but the same People, who, with so much chearfulness entered their Waggons and Horses into the King's Service last year, were they rendered capable by receiving their just Due from the Crown, would with the same Readiness enter into the like Service again. We, therefore, request the Governor would recommend to the General, as the most effectual Method of procuring Waggons and Carrying on the present Expedition, to order immediate Payment of the Sums so long due on the Old Contract; without which, many people who have Waggons and are desirous of serving the King are not able to fit them out. We cannot doubt the General's Compliance, as his Majesty's service is so essentially concerned therein, and as this Government has lent the Crown the Large Sum of Fifty Thousand Pounds for this very purpose. We must further remark, that it will but little avail for the Legislature to make Laws respecting the Hire of Carriages, since we have found those theretofore made have been in a great measure disregarded by the General, and Terms by no means so beneficial to the People as directed by Law forced upon them; this must certainly not only

discourage the Service, but the Legislature from complying with the General's request until they have reason to believe the Laws they shall make will be executed and obeyed by him.

"We know from late Experience that the Expence of two Troop of Light Horse will be very considerable, and the aids granted to the Crown for current Year's Service, being nearly expended, it is not in our Power to Comply with the General's Request relating thereto.

"It is true the Assembly, at the Desire of General Forbes, did Establish a Post, and the Provincial Commissioners Post Horses, for carrying Dispatches to and from the Communication; but upon Experience they found that tho' it was attended with an extraordinary and heavy Expence, yet it did not Lessen the Charge which before accrued on that Article, the Business being principally done by Special Expresses.

"Signed, by order of the House,

"ISAAC NORRIS, *Speaker.*

"July 7th, 1759."

The Governor acquainted the Council that he had received from the House the Bill for recording Warrants and Surveys, with a Message, in these Words:

"May it Please your Honour:

"However unprecedented it may be for Governors to send down Heads of Bills to the Assemblies of this Province, we have in order, if possible, to obtain a Bill so important and necessary to the Security of the Property of the People, as that for recording Warrants and Surveys, &c^a^, considered those laid before us by your Honour therewith, but as the approach of Harvest renders the Presence of the Country Members immediately necessary at home, we have not Time now to point out all the Numerous Contradictions, Defects and Mischiefs a Bill formed agreeable to them would introduce, one; however, we cannot help taking Notice of.

"With Respect to Matters of Property, our Proprietaries must ever be considered in the Light of private individuals as much as any of the King's Subjects in the Province; and as they are the Landlords, of whom the People hold their real Estates, their Interest in this respect is diametrically opposite to that of the People. To prove this, many Instances may be given where, by some means, the Securities and Evidences of the People's Rights have been lost and destroyed, and their Lands have been sold over again, to the great Prejudice of the true Owners. To form a Bill, therefore, for securing the Evidences and Vouchers of the Rights of the Inhabitants, and to prevent future Impositions and Frauds that may be perpetrated by the Proprietaries Officers on the Property and Possessions of Persons beyond Sea, Orphans and Minors; and by the same Bill to entrust those Evidences and Vouchers in the Hands

and Power of those very Officers, who, we are informed, are under private Oaths and Securities to the Proprietaries, would be such an Instance of Legislative Inconsistency as no good Policy can justify, for by this means that very state of Insecurity of the People's Rights, which have been occasioned by the Want of Law, would be established and confirmed by the Law itself.

"Against this Mischief, with many others, the Bill late presented to your Honour was attended, and does equitably provide, without doing any injury to the Proprietaries; we, therefore, again entreat the Governor to re consider it, and give his Assent thereto, as it is a Bill of the greatest Importance to the Welfare of the People committed to his Care.

"Signed, by order of the House,
"ISAAC NORRIS, *Speaker.*

"July 6th, 1759."

His Honour was pleased to speak to the Council as follows:

"Gentlemen:

"I have heard with attention the Reasons that have been urged against the Bill, and, also, on the other side, have weighed the Importance of it to all the Inhabitants of this Province. You, Gentlemen, are of one Opinion, and the Representatives of the People are unanimously of another. If the Lords of Trade have any objections to this Act it will be laid before his Majesty in Council, who is the most equal as well as Supreme Judge of the Rights of the Proprietaries and the People."

He then delivered the Bill to the Secretary, and desired him to read it over, to see if it was the same that was sent to him and returned to the House, who, after reading it over, told the Governor that he observed no Razures nor Interlineations in it, but it was impossible for him to carry in his memory the Contents of so Long a Bill, as to say whether it was or was not the same.

The Governor observed to the Council that he had no Intention to hurt the present Secretary or the Surveyor General, in their Lawful Perquisites, and would be glad to add a Provise to the Bill, to make a Compensation to them for the Loss of such perquisites and Fees in their Offices as might be occasioned by this Bill. He asked Mr. Peters what he thought the Loss would be to him, and likewise to the Surveyor General, if the present Bill should pass. To which Mr. Peters answered that the Bill was in itself unjust, and it was impossible for him to say in what manner his or the Surveyor General's Office might be affected by it. He was, therefore, desired to consult the Surveyor General, and having done so, he reported to the Governor that the Surveyor General said the Bill would be very injurious to him and his Deputies, but could not ascertain the Loss. And he doubted much if he or they would venture to accept Warrants at the Risque of paying Fifty Pounds, if

they did not execute them within the limited time by the Act. This, however, he was pretty sure of, that all further applications for searches and Copies of Papers would now be made to the Popular Officer. And at present he received above fifty Pounds a year in those two Articles.

The following additional Clause was, at the Instance of the Governor, inserted in the Bill respecting the present Secretary and Surveyor General:

And then the Governor sent a Message to the House that he was ready to give his assent to the Bill. And it was according the same Day enacted into a Law, And the great Seal affixed thereto by the Governor, in the Presence of two Members.

The Speaker presented to the Governor an Order for One Thousand Pounds, on the Trustees of the Loan Office.

At a Council held at Philadelphia, Monday the 20th of August 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor.

Richard Peters, Lynford Lardner, Esquires.

Several Letters from Brigadier General Stanwix, of the thirteenth and sixteenth Instant, to the Governor, were read, wherein he desires Two Companies of Artificers for the Building of the Forts and erecting Vessels on Lake Erie, &c^{a}, which were ordered to be entered.

A Letter from General Stanwix to Governor Denny.

BEDFORD, the 13th August, 1759.

"Dear Sir:

"I am sorry to be under a Necessity of acquainting you that after exerting my utmost Endeavors and all the active Assistance you was pleased to give me, I cannot yet procure a Sufficient Number of Waggons to transport the Provisions necessary for the Maintenance of the Army under my Command.

"The County of Lancaster, our Chief Dependance, is the most Backward, and Bucks and Chester have given us only Nominal Assistance, by sending us impressed Waggons, unfit for this Service, by the Weakness of the Horses and Carriages. The Managers meet with more opposition in these two Counties than in any of the others, as the Magistrates seem unwilling to disoblige them; and unless they are spurred by the fear of incurring your Displeasure, I am afraid they will not Exert their Authority in such a manner as will Answer the Purpose.

"It is with reluctance that I must trouble you again upon this Subject, but being stopped in my march, for want of a Sufficient and Certain Succession of Carriages, I am obliged to have recourse to you to extricate me out of this Difficulty.

"I have wrote the Inclosed Circular Letter to the Managers of each County, to spirit them up, and Endeavour to make the best use of this most favourable Opportunity.

"Exclusive of the great Supply of Provisions necessary for Troops, Waggons, Horses, Drivers, &c^a., there has constantly been hundreds of Indians to Feed at Pittsburgh, which has sunk that Magazine as fast as it could be Supplied, and the demand for Carriages for Indian Goods, Cloathing for Provincial Troops, and other Necessary Stores, has also contributed to prevent any considerable Magazine of Provisions being formed at that Post.

"I must beg you will make Application to the Assembly for the immediate furnishing me with two Companies of Shipwrights, and other Necessary Artificers to be employed, as soon as possible, in building proper vessels on Lake Erie, to secure the Command of that Water, the Trade and friendly Interest with the over Lake Indians, and preserve the Communication with Niagara.

"I am, Sir,

"your most obedient and most hum^e. Servant,

"JOHN STANWIX."

—

Circular Letter from General Stanwix to Managers for Waggons.

"Camp at Fort Bedford, the 13th August, 1759.

"Gentlemen:

"The Glorious Success of His Majesty's Arms in the Beginning of this Campaign, must fill the Heart of every good Subject with Gratitude, Zeal, and Activity for His Service. The People of this Province have it now more particularly in their Power to shew their Loyalty, by exerting themselves in furnishing without Delay the Waggons wanted for this Expedition.

"All the Difficulties are removed. The Communication with Pittsburgh is intirely clear of Enemies. The Roads are good, having been repaired by the Troops with great Pains and Fatigue. The Harvest is now over. Ready Money is regularly paid for every Service done, and indeed I cannot suppose that the Inhabitants of this Province would so far forget their Duty and the signal Favours they have lately received, by the Blessing of Providence, upon all our Enterprises, as to Express the least Sign of unwillingness or Backwardness on this Occasion.

"The Season advances fast upon us, and our Magazines are not half full. All our Delays are owing to Want of Carriages. The Troops are impatient to dislodge and drive the Enemy from their

Posts on this side the Lake, and by Building a respectable Fort upon the Ohio, secure to His Majesty the just Possessions of that rich Country, encroached upon as by a Troop of Murderers, who for many years have laid your Frontiers waste, murdered and Captivated your Inhabitants without Distinction of Age or Sex. Would not this be the Case again, if we don't Seize this favourable Opportunity to extirpate them intirely.

"I expect, Gentlemen, from your known Zeal and Consciousness of the necessity of taking at this Juncture the most Active Measures, that you will exert yourselves in a particular Manner to Spirit up the People in your Departments, and engage them to assist us with their Waggons, and avoid the Eternal Blame and heavy Charge that would lay at their Doors, If by an unwarrantable Indifference for the Good of their Country, this Expedition should miscarry for want of a few Waggons, when they have it in their Power by a Month or two of labour to secure themselves and to their Children a lasting and undisturbed Peace, and the free Possession of their Liberties and Properties, and remove their Enemies at such Distances as never to be able to disturb them again.

"I desire this Letter may be communicated to the Magistrates of each County, and I depend upon their ready Concurrence and Authority to assist you, and remove any frivolous Objection tending to Delay the Execution of this Important Service.

"Numbers of the Waggons furnished hitherto are bad; The Horses too weak, and as they can do no Service, I expect that they will be replaced by Sufficient Ones, as I cannot admit such disabled Teams to be part of the Proportion of a County.

"Please to inform me Speedily of your success that I may take my measures accordingly.

"I am, Sir,

"Your Most Obed^{t} Humble Servant,

"JOHN STANWIX.

"To the Managers for Waggons in each County."

Another Letter from General Stanwix to Governor Denny.

"CAMP AT FORT BEDFORD, the 16th August, 1759.

"Sir:

"I inclose you herewith the Copy of my Intelligence from Colonel Mercer and Captain Croghan, to which I refer you.

"As your Assembly now Sitts, as I am informed, must again beg you would lay before them the necessity of passing a Law for Three Months as Last Year, with a Penalty of Twenty Pounds to be levied upon those who refuse to send their Waggons to Fort Bedford, when thereto called upon by the Lawful Magistrate to

make good the Quota at every Township in the Different Counties of the Provinces for the Transporting Provisions; And without such a Law the Service of this (which in all probabilit ywill be the Last) Campaign cannot be carried on, not having yet got one-half of the Waggons Wanted; they value not the present Penalty (as the Magistrates writes me) of forty Shillings.

"and they pay with ease to get Clear of the Service. I have no doubt but you will use your utmost Influence with the Assembly to Pass this Law, from which I shall receive so much assistance as to be able to furnish every Service this Way before the Winter comes on.

"I rejoice with you sincerely upon all the good News we have so lately received from Niagara and Ticonderoga, and hope to have the Continuance of it from General Wolf.

"I am, S^r^, with great truth,

"Your most Obed^t^ Hum^e^ Servant,

"JOHN STANWIX."

—

Intelligence received from Pittsburgh inclosed in the last Letter.

"August 12th. Two Shawanese came here from Maguck, and informed me that the Cherokees had lately sent three Speeches to their Nation, acquainting them that they intended to make War on the English, desiring them to assist in the War, and to send the Speeches to all the Nations of Indians from the Sun Rising, inviting them to take up the Hatchet and Join with them, but as their Nation had promised me at the late Conference whenever they heard any Bad news to acquaint me with it before they determined upon anything, that they were sent to acquaint me with this, and to know how I should have them act in regard to their Speeches.

"In the Evening a Delaware Indian informed me that Nine Indians of their Nation from Venango had been in the road below Legionier, and taken an Englishman Prisoner, but that he had made his Escape from them in the Night.

"13th. By two Indians who have arrived here this morning from Niagara, I have the following Intelligence: That on the fifth, the French made a Sally from the Fort, that all the Indians they had with them at the Fort deserted them, that the English drove the French back into the Fort and took possesion of it. That during the Siege, Deliniery, who formerly Commanded on this River, was shot through the thigh and taken Prisoner, the Officer that Commanded the Fort at Niagara taken, The Officer that Commanded the Troops from Di Troit killed, the Priest killed, and all the rest of the officers killed and taken except four, who run away during the action on the Fifth. That the French Indians often attempted to speak to the Six Nations, but as the Six Nations constantly kept

hallooing to them, threatening to put every Indian they found with the French to Death, they were afraid to stay, so that they had no opportunity of speaking to them, for which reason they can give no account of what Number of the English and Six Nations were killed.

"That the French at Presque Isle had sent away all their Stores to Detroit, and was waiting when they came by for the French from Beuf River and Venango to join them, to set off for Detroit. That on an Indian Path leading from Presque Isle to a Delaware Town, they met a Frenchman and some Indians, who informed them that the French set off from Venango the Day before, which is Six Days ago.

"Seven o'clock in the Evening those Indians came here from Venango, and Confirm the above Intelligence of the English taking Niagara the fifth Instant by Storm, and say the Indians from over the Lakes are very much displeased with the Six Nations, as they had a number of their People killed at Niagara; That the French had burnt their Forts at Venango, Presque Isle, and La Beuf, and gone over the Lakes; that the French at Venango, before they set off, gave the Indians living nigh there Large Presents of Goods, laced Coats, and Hatts, and told them they were obliged to run away, but that they expected to be in Possession of this River before next Spring. They were obliged to Burn every thing they had, and destroy their Battoes, as the Water was so low they could not get up the Creek with them."

Then were read two Letters to the Governor from General Amherst, which were ordered to be entered.

A Letter from General Amherst to Governor Denny.

"Camp at Crown Point, 8th of August, 1759.

"Sir:

"On the Twenty-Seventh Ultimo, I had the pleasure of Communicating to you, that the Enemy had, on the Evening before, abandoned the Fort at Ticonderoga, to which I have now the further Satisfaction to add that they have likewise withdrawn themselves from this Place, after having also attempted to blow up the Fort, in which they have succeeded only in Part; and that I am in possession of the Ground ever since the fourth, where I propose building such a strong Hold as shall most effectually cover and Secure all this Country.

"The Night of my arrival here, I received Letters from Sir William Johnson, with the additional good news of the Success of his Majesty's Arms at Niagara, which surrendered by Capitulation on the Twenty-Fifth to Sir William, upon whom the Command had devolved by the Demise of poor Brigadier General Prideaux, killed

in the Trenches on the night of the Twentieth. The Garrison consisting of Six Hundred and Seven Men, being Prisoners of War, and now on their March to New York, together with Seventeen Officers and One Hundred and Sixty Men more, Part of a Corps of Twelve Hundred assembled at Detroit, Venango, and Presque Isle, under the Command of Messrs. Aubry and Delignery, for raising the Seige; but Sir William Johnson having Intelligence of their approach, provided so properly for their reception, that on the morning of the Twenty-Fourth, when they meant to March strait to the Fort, they met with such an Opposition as they little expected, being intirely routed, with the Loss of all their Officers, and a great Number of their Men killed, whilst the Loss on our side was inconsiderable.

"This Signal Success, added to the other advantages, seems an happy Pressage of the intire Reduction of Canada this Campaign, or at least of Circumscribing the Enemy within such narrow Bounds as will ever after deprive them of the Power of Exercising any more Encroachments, on which I hope I shall have the Satisfaction of Congratulating you, as I now do on these late great Events, and am, with great Regard, Sir,

"Your Most Obedt. Humble Servant,
"JEFF. AMHERST."

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Another Letter from General Amherst to Governor Denny.

"Camp at Crown Point, 14th August, 1759.

"Sir:

"Yesterday I received from the War Office Sundry Copies of the Cartel concluded and agreed upon between our Court and that of France, for the Exchange and Ransom of Prisoners, of which I here enclose you One; and am, with great regard, Sir,

"Your Most Obedt. Humble Servt.,
"JEFF. AMHERST."

The Council, on Considering the Contents of the above Letters and Intelligence, advised the Governor to Summons the Assembly, and the Secretary was directed to prepare a Writ for their being summoned to meet on the Twenty-Ninth Instant.

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MEMORANDUM.

The Twenty-Ninth of August, 1759, The House being to meet this Day by Summons, the Governor called the Council, but none attending by reason of Sickness or absence, except Mr. Peters, the Governor directed the Secretary to deliver to-morrow morning the

following Message to the House, with a Copy of the Writ by which they had been summoned, together with the Letters referred to in the said Message.

A Message from the Governor to the Assembly.

"Gentlemen:

"I was obliged to call you together before the Day of your adjournment, to lay before the House Letters I have received from General Stanwix.

"I desire you will be pleased to take into your Serious Consideration the peculiar advantages that will arise to this Colony by your Complying with the General's request. Extending our Indian Trade, Securing the lives of the Inhabitants, and improving the many advantages lately gained over the Enemy, are motives that I flatter myself will excite your Zeal and Loyalty in promoting His Majesty's Service on this Important Occasion.

"Having had the Pleasure of receiving from General Amherst a particular Account of his late successes, I send you His Excellency's Letter, with some other Papers of Intelligence from the Westward.

"WILLIAM DENNY.

"August 30th, 1759."

The Governor having received several Letters from Colonel Mercer, with a Copy of a Treaty with the Indians, held by George Croghan and Colonel Mercer, in July last, and some Intelligence inclosed in the said Letters, all which were ordered to be entered in the Council Minutes and delivered to the House, with the aforesaid Message.

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Minutes of Conferences held at Pittsburgh, in July, 1759, *By George Croghan, Esqr., Deputy Agent to the Honourable Sir William Johnson, Bart., His Majesty's Agent and Superintendant for Indian affairs in the Northern District of North America, With the Chiefs of the Warriors of the Six Nations, Delawares, Shawanese, and the Wyentotts, who represent the Eight following Nations: Ottawas, Chepawas, Putewatimies, Twightwees, Kushkuskies, Kecopes, Shockeys, and Musquakees.*

"At a Meeting held at Pittsburgh, on the 4th of July, 1759.

PRESENT:

"George Croghan, Esqr Deputy Agent to the Honourable Sir William Johnson.

"Colonel Hugh Mercer, Commandant at Pittsburgh.

"A number of the Officers of the Garrison.

"Captain William Front, Captain Thomas McKee, Assistants to George Croghan.

"Captain Henry Montour, Interpreter.

"The Beaver, the Delaware King, arrived here from over the Lakes, with a Number of the principal Counsellors and Warriors of the Delaware Nation. On their arrival they saluted the Fort with a Discharge of their Small Arms, which was returned by a discharge of the Cannon from the Fort. They then came in. After being seated, the Beaver said he only came over the River to shake Hands with us; that he was not prepared to speak on any Business, and desired we would not, as the Wyondotts, and other Indians, who came with him, was over the River. After Drinking a Glass of Wine round, we parted.

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"At a Conference held at Pittsburgh on the 5th of July, 1759.

PRESENT:

"George Croghan, Esqr. Deputy Agent to the Honourable Sir William Johnson, Baronet.

"Colonel Hugh Mercer, Commandant at Pittsburgh.

"A Number of the Officers of the Garrison.

"Captain William Trent, Captain Thomas McKee, assistants to George Croghan, Esqr.

"Captain Henry Montour, Interpreter.

"*Indians.*

"Six Nations		Delawares.	
"Tagouuseday,	Chiefs.	The Beaver, King of the Delawares,	
"Guywsuday,		Shingas,	Chiefs and Captains.
"Grandondawe, and		George,	
"Sixteen Warriors,		Kickeusking,	
"Shawonese.		Killbuck,	
		Windohale,	
"Keicenwekhe,		John Peters,	
"Louthema,		The Pipe,	
"Opeiwa, and		Johnny,	
"Fourteen Warriors		Gooshamaqua,	
		Mottacha Peter, and a great number of other Capt^ns.	

"Wyondotts.

"Diuatea,
"Tanondany,
"Sandeghgo,
"Sonongua,
"Terondea, and Twenty-two Warriors. } Deputies Representing their own & eight other Nations.

"Captain Croghan opened the Conferences with the following Ceremonies, addressing himself to the Indians present, of every Nation.

"'Brethren:

"'It gives me Pleasure to see you, The Representatives of so many different Nations, at this Council Fire. I bid you all heartily Welcome.

"'Brethren:

"'With this String I wipe the Dust and Sweat off your Bodies, pick the Bryars out of your feet, and Clear your Eyes, that you may see your Brethren's Faces and look Chearful.'

"Gave a String.

"'Brethren:

"'With this String I clear your Hearts and Minds, that you may speak perfectly free and open to us.'

"Gave a String.

"'Brethren:

"'With this String I wipe the Blood from off the Council Seats, that your Cloths may not be stained nor your minds disturbed.'

"Gave a String.

"As soon as we had done they performed the same Ceremonies on their Parts.

"The Beaver then got up and desired to know when they might Expect the Peace to be confirmed, as the Deputies from the Several Nations had fixed a time for their return. Colonel Mercer and Captain Croghan appointed a private meeting next morning to fix on the time.

—

"At a Private Conference held at Pittsburgh on the 6th of July, 1759.

"PRESENT:

"George Croghan, Esqr. Deputy Agent to the Honourable Sir William Johnson, Baronet.

"Colonel Hugh Mercer, Commandant at Pittsburgh.

"Captain William Trent,
"Captain Thomas M'Kee, } Assistants to George Croghan, Esqr.

"Captain Henry Montour, Interpreter.

"The same Indian Chiefs as before.

"When they were seated Colonel Mercer and Captain Croghan proposed to them their going to Philadelphia, in order to Ratify and Confirm the Peace; they refused, saying they would not go to Philadelphia while the English and French were at War in their Country; that they would go and see their Brethren when their Women and Children would sleep in Peace; they then proposed to the Indians their Waiting the arrival of the General, but they refused, saying a delay might be attended with bad Consequences at this Time, and then insisted on the Peace being confirmed, saying that as soon as it was proclaimed through the Nations that the Warriors of the several Nations, whose Deputies are now here, would abandon the French, on which a Time was fixed to hold a Conference with them for that Purpose.

—

"July 7th.

"The Deputies from the Several Nations waited on Captain Croghan, and desired to know the Prices of Goods and skins, which he acquainted them with; they Complained of the Prices of Stroud and Skins, saying Stroud was dearer than what they formerly gave for it, and that the Prices of Skins and Furs was also less than what the Traders formerly gave for them; and desired that he would Write the Governor to have the Prices settled.

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"This Morning the Indians called Captain Croghan to a private Conference.

"PITTSBURGH, July 8th, 1759.

"PRESENT:

"George Croghan, Esqr. Deputy Agent to Sir William Johnson.
"Captain Henry Montour, Interpreter.

"*Indians:*

"The Deputies from the Several Nations as before.

"When we were seated, these Deputies fourteen Belts and two Large Bunches of Strings of Wampum, which they said was the Wampum of the nine following Nations: Wyondotts, Ottawas,

Chepawas, Putawatimes, Twightwees, Kushkushkies, Keopas, Shoekeys, and Musquakes, impowering the Wyondott Deputies to act in behalf of their Nations, and to confirm the Peace between them and the English, as was agreed upon in a Council held over the Lakes by the Beaver King with their Nations, and a Road Belt, by which these Nations have cleared the Road to the Sun Rising, that they may travel in Peace to see their Brethren, the English, as formerly. They then replied, we have now shewed you the Powers by which we act in favour of the Several Nations just mentioned to you, and we desire to hear what you have to say to us to-morrow, as we are impatient to return Home; And a meeting was appointed in the Morning for that Purpose.

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"At a Conference held at Pittsburgh, July 9th, 1759.

"PRESENT:

"George Croghan, Esqr., Deputy Agent to the Honourable Sir William Johnson, Baronet.

"Colonel Hugh Mercer, Commandant at Pittsburgh.

"Captains.	Lieuten^ts.	Ensigns.
"Waggoner,	Matthews,	Crawford,
"Woodward,	Hydler,	Crawford,
"Prentice,	Bedde,	Morgan,
"Morgan,	Conrod,	Mr. Vixan,
"Smallman,	Kennedy,	Ormsby,
"Clayton,	Sumner,	Allen,
"Ward.	Anderson,	Gibson,
	Hutchins,	Lightfoot.
	Dangerfield,	
	Wright of the Train.	

"Captain William Trent, } Assistants to George Croghan, Esqr.
"Captain Thomas McKee, }

"Captain Henry Montour, Interpreter.

"*Indians:*

"Six Nations Chiefs, with Sixteen Warriors.

"Tagauusaday, Guyusuday,
"Grandendawe.

"Delawares Chiefs and Captains, with great numbers of others.

"The Beaver, King of the Delawares.

"George,	John Peters,
"Keckenskung,	The Pipe,
"Killbuck,	Johnny,
"Wendshale,	Gooshamaqua,
"Shingas,	Mattacka Peters.

"Shawonese Chiefs and Fourteen Warriors.

"Kiecennochthe, Louthema,
"Opeiwa.

"Deputies, representing their own and eight other Nations.

"Wyondotts, Sonongua,
"Dixeatea, Terondea, and
"Tanondany, Twenty-Two Warriors.
"Sandegho,

"As soon as the Indians had taken their seats, Captain Croghan made the following Speech:

"'Brethren:

"'The Wyondotts, Deputies of the Nine Western Nations of Indians, give attention to what I am going to say to you.

"'We are this day met in Council to renew and brighten the Ancient Chain of Friendship between us and you, in behalf of the Nine different Nations of Indians you represent; with this String of Wampum I scatter the dark Clouds that hang over your Heads, Open your ears that you may hear, and your Eyes that you may see the sun that shines over us. And I desire that what I shall say to you this Day, that you publish it immediately through all the Nations.'

"Gave a String.

"'Brethren:

"'The Complaints which your People made three years ago to the Governor of Pennsylvania about their Lands, was settled last fall at the Treaty at Easton, and a Line settled by your People and the Six Nations to their Satisfaction, all which you were made acquainted with last fall by the Deputies of the Six Nations, sent with your Deputies from that Treaty for that Purpose, and you may depend on it that your Brethren, the English, will never violate any of their Engagements to you or any of your Brethren of any other Nation, but hold fast of the Chain of Friendship; and we make no doubt but you on your side, will take the same Care. To Confirm what I have said, I give you this Belt.'

"Gave a Belt.

"'Brethren:

"'As soon as all Disputes between us were ended last Fall at the Treaty at Easton, the Peace was confirmed in the Presence of the Six Nations, and we, in Conjunction with the Six Nations, immediately dispatched Messages to assure you of the truth thereof; and the Peace Belt was sent to our Brethren, the Delawares, that they might send it through all the Nations living towards the Sun setting in Friendship with them, that they might know what was done and take fast hold of it.

"'Last fall, when the French destroyed their Fortifications here, and run away, a Number of your Brethren, the English, under the

Command of Brigadier General Forbes, took Post at this Place; at that time I went to see our Brothers, the Delawares, at the Mouth of Beaver Creek, and gave them an Invitation to come and Confer with the General; when we came here we found the General's bad state of Health had obliged him to set off, but that he had left Colonel Boquet, who was second in Command, to receive them and treat with them in his name at that Conference; they promised to perform all the Engagements their People had entered into with us at the Treaty at Easton, acquainting all Nations with what passed there, and invite all Nations in Amity with them to go to Philadelphia early this Spring to Ratify and Confirm the Peace, but as your own Business, or the Season of the year did not permit you, the General has sent me to Transact the Publick Business with you, and all Nations towards the Sun setting, in his Name, till his arrival.

"'Our Brothers, the Delawares, have performed their Engagements by taking a long Journey over the Lakes to make known to the Westward Nations what passed at the Treaty at Easton, and I assure your Brethren I am heartily glad to see the Deputies of so many of the Western Nation at this Place met in Council, and as you have already informed me that your affairs will not permit you waiting the arrival of the General, I have, with the Consent and approbation of Colonel Mercer, the Commanding Officer here, agreed to hold this Conference, and you may be asured that the Business transacted with you at this Conference, the King's General, and all the Governors on this Continent will Ratify and Confirm in the first General Meeting you have with them.

"'Brethren:

"'As the Design of this Meeting was to assure each other that we would keep fast hold of the Chain of Friendship, and perform our mutual Engagements made to each other at Easton, we on our parts shall punctually perform ours, and in order to our enjoying the Blessings we expect from that Peace, it is necessary, and we do insist, that you also perform these made on your parts, by restoring to us our flesh and blood that yet remain among you, as we can never taste true Satisfaction till that is done; we do not think it practicable for you to deliver up at once, or in any Place, all our People who yet remain Prisoners amongst you, but we place the greatest Confidence in the sincerity of your Intentions of performing all your Engagements made to us at that Treaty, and that you will loose no time in performing this Article of it. In Confidence of which I give you this Belt of Wampum.'

"Gave a Belt.

"'Brethren:

"'You have often requested your Brothers, the English, to carry on a Trade with you in your Country, as formerly. The Enemy, you know, were in Possession of your Country at that Time, which

obliged us to bring out an armed Force to drive them away, but before we got here the French burnt the Fort and run away up the River, where they yet stay and carry on the War against us.

"'You are Sensible, Brethren, that while the Enemy are in Possession of your Country, we cannot Trade safely with you, as formerly. The General is on his Way here to build a Trading House, to secure the Goods brought by the English Traders for your use, from the Insults of the French, which will be performing all our Engagements to you; you must be convinced of the Sincerity of our Intentions, as you see already a Number of Traders here, and more on their Way, the better to supply you with such necessaries as you may want. And I assure you, as soon as the Enemy are drove out of your Country, which I expect you will be assisting in, that the General will depart your Country after securing our Trade with you and our Brethren to the Westward. In Confirmation of what I have said, I give you this Belt.'

"Gave a Belt.

"'Brethren, Chiefs and Warriors of the Delawares:

"'As you are our Near Neighbours, and now going to return to your several Towns, I take this Opportunity of desiring you not to go far abroad, nor think long till you hear from us, for I assure by this String of Wampum, that as soon as the General arrives here with his Majesty's Troops, I shall call you together, as the General will have something to say to you, and be glad to see all his Brethren of the Several Nations to the Sun setting.'

"Gave a String.

"The Beaver, the Delaware King, then got up, addressing himself first to all the Indians present, desiring them to listen to what he was going to say, which was from his Heart, and to take example by him, then addressing himself to all the White People present, made the following speech:

"'Brothers:

"'I have brought with me some of your flesh and Blood; there they set. One is my Mother, the other my Sister. I deliver them up to you, in the presence of all here; do not think I am tired of them; no, I love them as well as I do my own Mother and Sister. When they go to the Inhabitants do not hide them; when I go down, I shall Call and see them. Then delivered up the two Women.

"The Beaver, then addressing himself to Colonel Mercer, with a String of White Wampum, made the following Speech:

"'Brother:

"'When I was here in the fall, I desired our People might have Liquor, but sparingly; but now I desire the Bung may be knocked out of the Keg, and when the Liquor comes, we may have Liberty to purchase, and then returned thanks for the Speeches we had made them, which he said he believed come from our Hearts.'

"Gave a String.

"Captain Montour, by order of Colonel Mercer, acquainted him that the first Liquor that came up, they should have Liberty to buy part of it; Then returned thanks for the Speeches they had made us, and the Colonel gave the whole an invitation to dine with him next Day."

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"At a Private Conference held at Pittsburg, the 11th July, 1759.

PRESENT:

"George Croghan, Esqr. Deputy Agent to the Honourable Sir William Johnson, Baronet.

"Captain Henry Montour, Interpreter.

Indians.

"The Chiefs and Warriors of the Delawares and Shawanese, and the Deputies and Chief Warriors of the Wyondotts.

"Diccatea, the Chief of the Wyondott's Deputies, spoke as follows, in behalf of his own, and the other eight Nations they represent:

"'Brothers:

'"By this String of Wampum, we assure you that as soon as we get home we will call a general Council of all Nations over the Lakes, and lay before them what you have said to us, and you may depend on a large Body of our people being here in about two Months, in order to Confirm the Peace on our parts. And we shall use all the Influence we have to withdraw such of our young Men as the French have stole from us this Spring, as soon as Possible. As to your Flesh and Blood, that is amongst us, we can assure you that you will see them again; but Brothers, we have not many of them, nor never had.'

"Gave a String.

"The Beaver made the following Speech in behalf of the Delawares and Shawanese:

"'Brothers:

"'We are very well pleased with what you have said at this Conference. Ever since the Treaty at Easton and what passed here last fall, we have looked on the Peace to be Confirmed between you and us; And it gives us great Pleasure to see it now in a manner confirmed between you and all our Friends, the several Nations to the sun-setting. As to your flesh and Blood, a little Time will convince you that we are sincere and will perform our Engagements in restoring all them that is in our Possessions.'

"Gave a String.

"During the Time of the Conference, there was near five Hundred Indians here."

"July the 16th, 1759.

"At the Request of the Indians here and with the approbation of Colonel Mercer, Captain Croghan sent the following Speech to Venango by two Wyondott Messengers, for the Warriors of the Western Nations who had joined the French before this Conference :

"'Brethren :

"'The Wyondotts, Chepawas, Ottawas, Putawatimes, Twightwees, Kushkushkies, Kecopas, Shockeys and Musquakes, hear what I am going to say to you : your Brothers, the English, are not Come here to War with the Indians, but to carry on Trade and Commerce with all Nations of them as far as the Sun setting.

"'Brothers :

"'As the Peace is now Confirmed between your Deputies and us, I expect you will abandon the French and leave them and us to fight our own Battles. The Beavers who were present at this Conference can tell you what passed between your Deputies and us ; with this Bunch of Wampum I take you by the Hands, and lead you to your own Country, where I desire *where I desire* you would sit and smoke your Pipes till I give you a call ; I assure you the English have no intention of Injuring you, and I must insist on your paying due regard to this Message and immediately quitting the French, which will confirm me in the good opinion I have of the sincerity of your professions made in your behalf by your Deputies at the Conference I held here with them, and will be convincing your Brothers, the Governors of the several Provinces, that you are determined to renew, and remain steadfast in your antient friendship with all His Majesty's Subjects.

"Sent twelve fathoms of white Wampum.

"The Indians of the several Nations here sent Speeches to inforce the above speech. The Beaver, the Delaware King, spoke in behalf of all the the Nations who were present at the Conference held here, and desired that the General might be made acquainted with what passed here between them and us, and desired that the General might bring none of the Southward Indians with him ; if he should, there would be no perswading some of the Indians but we intend to deceive them."

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A Letter to Governor Denny from Colonel Mercer.

"PITTSBURG, the 6th of August, 1759.

"Sir :

"My last letter to your enclosed Minutes of Conferences held here upon Ratifying the Peace with several Nations of Indians,

upon signifying what was transacted here to the Indians collected by the French at Venango, they readily consented to what was agreed on by their Deputies; only two Delawares, a Brother of Teedyuscung and a Nephew of Cutfinger Peter, apposed their Measures of Leaving the Enemy and coming here immediately to signify their Peaceable intentions. These assured the others that no Peace was intended by us, neither had any Indians joined in sending the Messages, which were contrived only to deceive and lull asleep the Indians till we had Cut their Throats.

"The settling this affair has kept a number of Indians still about us, for all the Wyondotts have come here from Venango, to hold a Conference with the Chiefs of the Delawares, who are assembled to satisfy the Western Tribes, & to take the Hatchet out of their Hands.

"We hear of a Number of the Distant Tribes being at Hand, upon their first Visit, so that there is no appearance of our being able to avoid a vast expence of Provisions; this lays the General under great difficulties in supplying us, and throwing in a sufficient stock for the Support of his arms.

"I have been obliged to reduce the Garrison to Three Hundred and Fifty, and even with this Number, can scarcely save an ounce between the Convoys.

"We are likely to have little Trouble from the Enemy this Way, for their Indians have dropt off to a very few, who, in small parties, lye about Legonier, and this Place, serving as spys, and now and then, taking a Scalp or prisoner. I inclose the Intelligence we have received lately from Presque Isle; how far it may be depended upon, I will not pretend to say; we expect further Accounts every Minute.

"Some Taway Indians, that had been entertained here some Days, and met with equally kind Treatment of others, took off two Highlanders, One of them a Centinel from his Post, and we find, since killed them both, and were seen proceeding to Venango with their Scalps.

"Captain Gorden, Chief Engineer, is arrived, with most of the Artificers, but does not fix on a Spot for Constructing the Fort, 'till the General comes up. We are preparing the Materials for Building, with what expedition so few Men are capable of.

"I am, Sir, your Honour's most Obed^{t} Hum^{e} Servt

"HUGH MERCER."

Intelligence enclosed in the foregoing Letter.

"PITTSBURGH, August 4th, 1759.

"By two of my Spies, who returned this Day from Venango, I am informed that the French at Venango are in the utmost Confu-

sion, on account brought by some Indians, of the news from Niagara, who say the English landed in sight of the Fort, without much interruption, intrenched themselves, and raised Batteries; that the French and Indians made a Sally, and were repulsed, with the Loss of Twenty-Eight Officers killed and taken; a great number of Soldiers killed and taken, and twelve Indians killed. Amongst the Prisoners is Mr. Delinery, who Commanded at this Place, shot through the thick of the Thygh. What Number of the English and Six Nations were killed, they could not tell; that the place had not surrendered when they came away; but it is the Opinion of all the Indians, that the English are in Possession of it by this, as the Commanding Officer of Niagara sent Letters by these Indians, to the Commanding Officer at Presque Isle, to acquaint him that he should be obliged to deliver up the place in a few Days, and as Sir William Johnson threatened to cross the Lakes with the Six Nations, and cut off the Settlements at Detroit, desired him to forward an Express to Detroit, with orders for all the Women and Children, with their Effects, to be removed to the Head of Scioto, that they might be ready, upon the first Notice of the Six Nations crossing the Lakes, to remove to their Settlements down the Mississippi.

"Forty-Five Indians arrived here this Day, amongst which were two Delawares sent from Tuskerawas to acquaint me that there was forty Indians of the Twightwees and Kushkuskee Nations on their way here, sent by their Chiefs to know in what manner the Peace was settled between us and the Western Indians, that they might know how to act. The two Messengers tell me I may expect them here in two Days.

"the 5th. Two Shawanese came here from Presque Isle, and Confirm the Intelligence brought by my two Spies yesterday, with the Addition that the Indians who brought the Intelligence from Niagara to Presque Isle say the French attempted several times to drive our People out of their Trenches; that great Numbers were killed on both Sides, but most of the French; that most of the French Officers that were on this river were killed or taken, particularly the blind Captain (called so by the Indians by his being blind with one Eye), who Commanded at Venango, killed, one Neverville, a great Partisan, who used to go frequently with the Indians from this Place, against the Frontier Settlements of Pennsylvania, Maryland, and Virginia, killed; that when they left Presque Isle the French every moment expected to hear of the Surrender of Niagara to the English."

Another Letter to Governor Denny from Colonel Mercer.

"PITTSBURGH the 12th August, 1759.

"Dear Sir:

"We have at last got rid of our Neighbours at Venango, who, to render their memory grateful among the Indians, made a virtue of necessity, and what they could not carry off, very liberally distributed to their Friends.

"Croghan's Letter contains all the particulars of our Conquest at Niagara come to hand as yet, and of the Enemies abandoning their Posts in the Ohio.

"Like true Frenchmen they went off with a gasconade, telling the Indians, tho' they must run away at present, yet this River would be in their Possession before the End of the Year. We can now talk to our new Allies in a proper Stile, as their Services are not Necessary, tho' the Consistency of our Plan in bringing them entirely over to the British Interest, ought to be preserved by treating them with a great kindness, but suffering none of their insults.

"I am, with great Esteem, Dear Sir,
"Your most Obed$^{t.}$ Hum$^{e.}$ Servant,
"HUGH MERCER."

—

Another Letter to Governor Denny from Colonel Mercer.

"PITTSBURGH, 13th August, 1759.

"Sir:

"I had the pleasure of receiving a Letter from your Honour a few days go, and now enclose for your perusal the latest Intelligence from Niagara, and the Enemies' posts upon the Ohio, which last they have found it necessary to evacuate and burn.

"The publick Transactions with Indians at this Place, I flatter myself will be agreeable to the Plan laid by your Honour for securing these Western Tribes to the British Interest.

"As I have taken every Opportunity of enforcing the Invitation given them to go to Philadelphia to ratify the Peace, I am perswaded they are resolved upon going there as soon as the Circumstances of their Country will render their leaving it safe and Convenient.

"There is at present a great Scarcity of Goods here, and as numbers may soon be expected with Indian Traffick 'tis pitty they should be disappointed, if it is proposed to the Trade from Philadelphia.

"The Garrison is not yet reinforced; the Convoys with Provisions come in so heavily that we are, tho' a small number, scarcely supplied from one to another.

"I am, Sr Your Honour's Most
"Obedient Hum^e^ Servant,
"HUGH MERCER."

Intelligence enclosed in the Last Letter.

"August 12th. Two Shawonese came here from the Meguck, and inform me that the Cherokees has lately sent three speeches to their Nation acquainting them that they intended to make War on the English desiring them to assist them in the War, and to send the Speeches to all the Nations to the Sun Setting, inviting them to take up the Hatchet and join with them; but as their Nation had promised me at the Late Conference, whenever they heard any bad news, to acquaint me with it, before they determined upon any thing, that they were sent to acquaint me with this, and to know how they would have me Act in regard to these Speeches.

"In the Evening, a Delaware Indian informed me that nine Indians of their Nation, from Venango, had been on the road below Ligonier, and taken an Englishman Prisoner, but that he had made his Escape from them in the Night, the 13th. By two Indians, who arrived here this Morning from Niagara, I have the following Intelligence: That on the Fifth the French made a great Sally from the Fort, that all the Indians they had with them at the Fort deserted them, that the English drove the French back into the Fort, and took Possession of it; that during the Seige, Delinery, who formerly Commanded on this River, was shot through the Thigh and taken Prisoner; the Officer who Commanded the Fort at Niagara taken; The Officer who commanded the Troops from Detroit, killed; the Priest killed, and all the Officers killed or taken except four, who ran away during the action on the fifth; that the French Indians often attempted to speak to the Six Nations, but as the Six Nations constantly kept hallooing to them, threatening to put every Indian they found with the French to Death, they were afraid to stay, so that they had no Opportunity of speaking to them for which reason they can give no Account of what Numbers of the English and Six Nations were killed.

"That the French at Presque Isle had sent away all their Stores to Detroit, and was waiting when they came by for the French at Beuf River and Venango to join them, to sett off for Detroit; that in an Indian path leading to Presque Isle to a Delaware Town, they met a Frenchman and some Indians who informed them that the French set off from Venango the Day before, which is six days ago.

"Seven o'clock in the Evening three Indians came here from Venango and Confirmed the above Intelligence of the English taking Niagara, the fifth, by storm, and say the Indians from over the Lakes are very much displeased with the Six Nations, as they had a number of their People killed at Niagara; that the French had burnt their Forts at Venango, Beuf River, and Presque Isle, and gone over the Lakes; that the French at Venango, before they set off, gave the Indians living nigh there, large presents of Goods, laced Coats and Hatts, and told them they were obliged to run away, but that they expected to be in Possession of this River before next Spring; they were obliged to burn every thing they had, and destroy their Battoes, as the Water was so low they could not get up the Creek with them."

Mr. Peters then desired the Governor to appoint a Time to read and settle the Minutes of Council.

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MEMORANDUM.

The Thirtieth, seven Members from the House waited on the Governor to acquaint him that the late Speaker, Mr. Norris, being unable to attend the Public Business thro' Sickness, the House had chose another Speaker, and requested to know when his Honour would be pleased to receive the House, in order to present the Speaker for his approbation.

The Governor was pleased to appoint to-morrow at Twelve o'Clock, in the Council Chamber. Accordingly the Governor, by the Secretary, sent a Message desiring the attendance of the House in the Council Chamber. The whole waited on the Governor and presented Mr. Thomas Leech, their Speaker, and the Governor was pleased to approve their choice.

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MEMORANDUM.

September the first, Two Members waited on the Governor with the following Message, and acquainted him that the House had adjourned to the tenth Instant:

A Message to the Governor from the Assembly.

"May it please your Honour:

"After the Explicit answer of the Seventh of July, given by this House, through your Honour, to General Stanwix's application for a Law to enforce the procuring of Carriages, we are Surprized he should renew it without taking the least Notice of our reason for declining such a Measure.

"The most effectual Mode of procuring Carriages for the Crown we then informed him, and still apprehend, is to order immediate Payment of the Sums due on the Old Contract, the Want whereof must have been a very Considerable Obstruction to that Zeal and Readiness which have been shewn on every Occasion by the People of this Province, to promote the Service of the Crown, and indeed has rendered it impracticable for many, who are willing and desirous to fit out Carriages for the Expedition. Besides we are of Opinion the Prices the General Offers for Carriages and Drivers are by no means adequate to the Risque and Service expected from them, and are much inferior to the terms fixed and Established by a Law made for that purpose; this manifestly appears from long Experience, the several Townships which have fitted out Carriages being abliged to give large Bounties for their Waggons and Drivers over and above the Wages offered by the General for that Service, which has been a very great additional Burthen to our present Taxes, and an heavy Contribution on the People.

"We must beg leave to remark to your Honour, that while the General shall continue entirely to disregard the Law already made for the procuring of Carriages, we can have little Encouragement to frame another for that Purpose. We, therefore, request your Honour will be pleased to recommend it to the General to pay off the old Contracts, and to Comply with the said Law, and give the People such a reasonable Price as will enable them to serve the Crown without Loss, which will be the only method of procuring the Carriages wanted for the present Expedition.

"As to the General's Demand of two Companies of Ship Wrights and Necessary Artificers we cannot agree to it, as the large Supplies we have already granted are nearly expended, and the Province has fully complyed with the Requisitions of the Crown, by the Secretary of State's Letter.

"Signed by order of the House,

"THOMAS LEECH, *Speaker.*

"September 1st, 1759."

At a Council held at Philadelphia, Thursday the 20th of September, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

Robert Strettell,	Richard Peters,	} Esquires.
Lynford Lardner,	Thomas Cadwalader,	
John Moland,		

The Bill Entituled "a Supplement to the Act Entituled 'an Act for the Re-Emitting the Bills of Credit of this Province, heretofore

re-Emitted on Loan, and for striking the further Sum of Thirty-Six Thousand and Six Hundred and Fifty Pounds, to enable the Trustees to lend Fifty Thousand Pounds to Colonel John Hunter, Agent for the Contractors, with the Right Honourable the Lords Commissioners of His Majesty's Treasury for His Majesty's Service,'" presented to the Governor yesterday by two Members of the House for his Concurrence, was laid before the Council for their Consideration; and it appearing on reading the Bill, that on the Death or removal of the Trustees of the Loan Office, there was a Clause Empowering the Assembly to appoint new ones, tho' it was in the Re-Emitting Act, to which it is a Supplement, expressly in the General Assembly, which always means Governor and Assembly, Two Amendments were made to the Bill to insert the Word Governor in the places where the Assembly only was mentioned, and sent to the House with the Bill.

"Amendments to the Bill Entituled 'a Supplement to the Act Entituled 'an Act for the Re-Emitting the Bills of Credit of this Province, heretofore Re-Emitted on Loan, and for striking the further Sum of Thirty-Six Thousand Six Hundred and fifty Pounds to enable the Trustees to lend Fifty thousand Pounds to Colonel John Hunter, Agent for the Contractors, with the Right Honourable the Lords Commissioners of His Majesty's Treasury for His Majesty's Service.'

"Page 9, Line 11. Instead of the Words [by the Assembly] insert the Words [By the General Assembly.]

"Page 10, Line 6. Before the Word [Assembly] insert the Word [General.]"

At a Council held at Philadelphia, Tuesday the 25th of September, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

Richard Peters, Thomas Cadwalader, Esquires.

The Governor mentioned that he had received from the House the Supplement to the Re-Emitting Act, with an Answer to his proposed Amendments; and likewise another Bill, Entituled "a Supplement to the Act entituled 'an Act for Establishing Courts of Judicature in this Province,'" both which were read; but the Council being thin, and neither of the Gentlemen present who were of the Profession of the Law, being obliged to attend the Supreme Court, the Governor desired the Council might be called this afternoon or to-morning, as it would best suit their Business.

At a Council held at Philadelphia, Wednesday the 26th September, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor

Robert Strettell, Richard Peters,
Lynford Lardner, Benjamin Chew, } Esquires.
John Moland,

The Bill Entituled "a Supplement to the Act Entituled 'an Act for Establishing Courts of Judicature in this Province,'" was read and taken into Consideration, and some Observations were made thereon by Mr. Chew and Mr. Moland. All the Council were against the Bill except Mr. Moland.

The Governor laid before the Council the Assembly's answer to his Amendments to the Bill Entituled "a Supplement to the Re-Emitting Act, &c^a," which is as follows:

"*Answer to the Governor's Amendments on the Bill entitled 'a Supplement to the Act entitled 'an Act for Re-Emitting the Bills of Credit of this Province heretofore re-Emitted on Loan, &c.*"

"Amendment 1st. The House unanimously adhere to their Bill.

"Amendment 2d. The House reject the Words [General Assembly,] but agree to Substitute in the Room thereof, the Words [by Act of Assembly.]

"Signed by order of the House,
"CHARLES MOORE,
"Clk. of Assembly.

"September 22d, 1759."

And after Considering thereof, the following reply to their answer was made:

"Page 9, Line 11. The Governor adheres to his Amendments.

"Page 10, Line 6. The Governor rejects the Alteration proposed by the House, but will waive his Amendments, provided the Words [until a new Nomination and Appointment of the Trustees of the said General Loan Office be made by the Assembly, any thing in this Act, or any other act of Assembly of this Province to the Contrary Notwithstanding], in Lines 3, 4, 5, 6, 7, and 8, are razed, and instead thereof, the Words [to the End of the then next Session of Assembly] inserted.

"Line 6. In the Rider, after the Word [the] insert the Word [General].

At a Council held at Philadelphia, Friday the 28th of September, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor.

Richard Peters, John Moland, Esquires.

The Governor acquainted the Members that the House had sent back the Supplement to the Re-Emitting Act, with a Rejoinder to his Reply, as follows:

"Amendment 1st, Page 9, Line 11. The House unanimously adhere to their Bill.

"Amend^t 2d, Page 10, Line 6. The House agree to the Governer's Second Amendment, contained in his first Paper of Amendments sent down to the House, upon the said Bill.

"Page 9, Line 11. The House unanimously adhere to their Rider.

The Governor did not think it proper to contend any longer with the Assembly about his Amendments."

The Governor laid before the Council Two Bills presented to him yesterday for his Concurrence. One Entituled "An Act for appointing an Agent to Apply for and receive the Distribution, share, and proportion which shall be assigned to this Province, of a sum of Money granted by Parliament to His Majesty's Colonies in America."

The other Entituled "an Act to Confirm an Act for directing the Choice of Inspectors in the Counties of Chester, Lancaster, York, Cumberland, Berks, and Northampton."

The Governor proposed an Amendment in the Bill Entituled "a Supplement to the Act Entituled an Act for establishing Courts of Judicature in this Province," namely, that whereas no Courts by the Bill Can be removed if the Sum demanded and recovered be Forty Pounds or under, he thought this too high a Sum, and amended it to Twenty Pounds, which the House agreed to.

The four Bills were sent to the House with a Message by the Secretary that the Governor gave his Assent to them, and would enact them into Laws when presented to him, and the House were desired to have them engrossed by twelve o'clock to morrow, at which time his Honour Would attend in the Council Chamber. Mr. Peters was desired to examine the Bills, when engrossed, with the Originals.

The Governor sent to the House, by the Secretary, a Letter he had received from General Stanwix, dated at Pittsburgh, the 31st Ultimo, sent down by three Mohock Indians, Messengers from Sir William Johnson, giving an account of his Success at Niagara, and recommended to the House, that the said Indians might be kindly treated while in Town, and distinguished with a present on going away.

The Governor likewise directed the Secretary to lay before the House the following Letter from Major Orndt:

A Letter to Governor Denny from Major Orndt.

"May it please your Honour:

"Sir:

"Last Week three Delaware Indians that had been hunting near Tulpihocken stole Six Horses from thence; the persons who lost the Horses fel on the Tracks and followed them to the Fort, and acquainted me of their loss. I immediately inquired what Indians had been hunting thereabouts, and charged them with the theft; they confessed the had Horses, but said that when the People were murdered and their creatures taken away two years since, there was not so much said about it, but now there was a great Noise about a few Horses; and after I had represented to them the Abuse, and that I apprehended it would introduce fresh Troubles, they after some impudent Expressions, promised to return the Horses, but they are gone off without bringing them in.

"I am afraid such Practices will increase among them if some effectual Measures are not taken to prevent these great Violations of the late Peace, and distressing the poor unhappy Sufferers on the Frontiers. I should have taken the Horses from them by force, but I could not find them; and to cover this their base Villany, they raised a Report that some French Indians had been murdering in Tulpihocken, and had taken a prisoner from thence, but as we have had no account to Confirm it from the Settlement, Concluded they have raised it themselves.

"I am your Honour's most Obedient Humble Servant,

"JACOB ORNDT.

"Fort Augusta, Septem^{r} 20th, 1759."

At a Council held at the State House, Saturday the 29th September, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

Richard Peters, Secretary.

The Council was summoned but no more attended, Mr. Peters reported that the Four Bills were examined, and agreed with the Originals.

A Message was sent by the Governer to the House that he required the attendance of the Speaker and House, in the Council Chamber, in order to enact into Laws the four Bills that were agreed to, and the

Speaker with the whole House accordingly attending, the four Bills respectively Entituled as follows, Viz^{t}:

"A Supplement to the Act entitled 'an Act for re-Emitting the Bills of Credit of this Province heretofore re-Emitted on Loan, and for striking the further Sum of Thirty-Six Thousand Six Hundred and Fifty Pounds, to enable the Trustees to lend Fifty Thousand Pounds to Colonel John Hunter, Agent for the Contractors, with the Right Honourable, the Lords Commissioners of His Majesty's Treasury, for His Majesty's Service.'"

"An Act for Appointing an Agent to apply for and receive the distribution, share, and proportion, which shall be assigned to this Province, of the Sum of Money granted by Parliament to His Majesty's Colonies in America."

"A Supplement to the Act entitled 'an Act for Establishing Courts of Judicature in this Province.'"

"And an Act to Continue an Act Entituled 'An Act for directing the Choice of Inspectors in the Counties of Chester, Lancaster, York, Cumberland, Berks, and Northampton,'" were enacted into Laws, sealed and lodged in the Recorder's Office.

At a Council held at Philadelphia, Thursday the 4th October, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
William Logan,	Richard Peters,	
Benjamin Chew,	Thomas Cadwalader,	

The Returns for Sheriffs and Coroners were read. The Governor, in some Instances, asked the advice of his Council, and in others he did not, and whether he agreed or disagreed in Sentiment with the Council he ordered Commissions to be made out, for the following Persons, Viz^{t}:

	Counties.
Samuel Morris, Sheriff, Peter Robeson, Coroner,	Philadelphia.
Joseph Thornton, Sheriff, William Ashburn, Coroner,	Bucks.
Benjamin Davis, Sheriff, Joshua Thompson, Coroner,	Chester.
William Smith, Sheriff, Matthias Slough, Coroner,	Lancaster.
Jacob Weaver, Sheriff, John Warren, Coroner,	Berks.

John McKinly, Sheriff,
William Smith, Coroner, } Newcastle.

John Moore, Sheriff,
John Venasen, Coroner, } Northampton.

Afterwards the Governor appointed

	Counties.
Peter Shugart, Sheriff, William King, Coroner,	York.
Thomas Parker, Sheriff, William Wells, Coroner,	Kent.
Ezekiel Smith, Sheriff, John Miller, Coroner,	Cumberland.
Joseph Shankland, Sheriff, Jabez Fisher, Coroner,	Sussex.

Whilst the Council was sitting, Teedyuscung waited on the Governor to acquaint his Honour that he had some Business to lay before him. The Governor sent for Teedyuscung into Council, who accordingly came, and brought with him Abraham Lacquis and Thomas Evans, two Delaware Indians, with Isaac Stille, Interpreter.

The Governor gave Teedyuscung an hearty welcome, and acquainted him that he had called his Council on being informed that he desired to speak to him, and was ready to hear him.

Teedyuscung thanked the Governor, and made his following Speech:

"Brother:

"I would have you listen to me a little while. I have something to tell you. If I happen to speak a word amiss, or anything contrary to our Friendship, you must put it by. I am but a little man; you are a much stronger man. If I make any mistake, do not take notice of it, as if I mean anything contrary to our Friendship, for I assure You I mean no such thing.

"Brother:

"Almost all the Indians are looking at us; they all see us both sitting together, and Consider us as the first who began to make a Peace, are glad of it, and desirous we should finish it intirely. I have no more to add on this article than this, seeing you are looked upon in this Light, far and near, by my Countrymen. Let us strive together, and we will finish the good Works; you are an able man. I am a Weak Man; but tho' I am weak, I will promote the Peace to the utmost of my power.

A String of four Rows.

"Brother:

"When first I came down to you on this good Errand, there were some foolish Boys that gave you wounds that went deep into

your Flesh; our Creator provided some Roots out of the Ground to heal these Wounds; those I collected and made a Plaister of them. I did not apply it only to the outside of your Flesh, but to your Heart, where you felt the greatest pain. It is customary for all Doctors, when they put Plaisters to Wounds, to come again and see if they be healed or not. Now, all the Indians think that your Wounds are perfectly Cured. Even the Women, and Children, and Grand-Children, know it and say so. I speak on behalf of five Nations, who are all of this Opinion, and think you are quite well."

A Belt of Seven Rows.

"Brother:

"In what we have done, I think we have acted with so much sincerity towards each other, that the Peace will be everlasting. I am a King; you are a King; your People or my People might otherwise say that we had made a false peace, but now that they have been Witnesses of our mutual Sincerity, they must and will acknowledge that we are a good People, and that we have made a good Peace.

"Brother:

"I have no more to say; this is all the News I bring you. I hear from the outside of the Country, all that is doing in the Back Parts, and I always let you know what I hear, be it great or small; you know that we agreed to hear from one another; my Ear was to be open to what was doing on the outside of the Country, and your Ear was to hearken to what was doing in your Parts; and I assure you that all the Indians, little and big, are well pleased with the Peace.

"Brother:

"I know you feel sorrow, and I know what gives it you; you have not seen your prisoners; do not be out of Patience; I am now about collecting them, and I will bring them to you this fall, as soon as ever I can. I have done."

Teedyuscung being asked by the Governor what Number of Prisoners are with them, and in what place, he answered that there was not above five prisoners among the Delawares on the Susquehannah River. The Munsies have a greater number, but they join the Mohocks, and will deliver them together; they are not, therefore, to be counted among the Delawares. The Mohocks have a great many Prisoners among them; the English hold frequent Conferences with the Mohocks, but I never know what passes between the English and the Mohocks.

At a Council held at Philadelphia, Saturday the 6th of October, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr, Lieutenant Governor.

William Logan, Richard Peters, Esquires.
Teedyuscung,
Abraham Lacquis,
Thomas Evans,
Isaac Stille, Interpreter.

The Governor spoke to Teedyuscung as follows:

"Brother:

"I have considered your Speech of yesterday; I thank you for it; what you have said is very good.

"Brother:

"Nothing shall be wanting on my Part, to bring the good Work of Peace to an happy Conclusion. It pleases me to hear that the Indians are, all of them, so attentive to what we have been doing, and so desirous we should finish it. Providence hath hitherto favoured our Councils, and will always, we hope, continue to smile upon us whilst we act with uprightness and Sincerity, and are careful to perform our Engagements. This will Secure to both of us the Esteem of our Children and Grand Children, and they will have reason to speak well of us, and Honour our Memories when we are in our Graves."

A String.

"Brother:

"You Judge right of us as to our Flesh and Blood—this is the first and most important matter between us, and you have in the most solemn manner engaged to return all our prisoners, we expect it from you and from all the nations you represent or can have any influence on. If this be not done and that soon, and without keeping any of them from us, we are afraid it will Occasion a Breach between us, notwithstanding all the pains you and I have taken to bring about a Peace."

A Belt.

"Brother:

"You say the Minisinks will deliver their Prisoners along with the Mohocks; I hope they will not fail to collect them and bring them all down.

"Brother:

"We are, as you justly observe, under the Strongest Covenants to use our Eyes and Ears for the benefit of each other; I am glad to find you have your Ear always ready open to what is doing in

the parts where you Live, and that you have nothing to acquaint me with from those Countries but what is very good.

"Brother:

"I shall now tell you our News. Many Indian Nations have assisted the King's Armies, who have been, thro' the blessing of Heaven, very successful; the strongest places of the French are conquered and in his Majesty's Possession: Niagara, Crown Point, Ticonderoga, are all in the hands of the English; English Ships are sailing under King George's Colors on Lake Ontario, Lake George, and Lake Champlain; Quebec is almost destroyed by a large fleet and Army in the River St Lawrence.

"Brother:

"Hearken to what I say. My Ear is hurt, and my Heart is grieved very much at something I have lately heard, and am going to relate it out of a Letter I have received from the Commanding Officer at Fort Augusta, Major Orndt, who you know is a very good Friend of the Indians, and one who will write nothing but the truth."

"*Extract of a Letter from Major Orndt to Governor Denny, Dated at Fort Augusta, September the 20th*, 1759.

"Last Week Three Delaware Indians that had been a hunting near Tulpehoccen, stole Six Horses from thence; the Persons who lost the Horses fell on the tracks and followed them to the Fort, and acquainted me of their Loss. I immediately inquired what Indians had been a hunting thereabouts, and charged them with the theft; they confessed they had the Horses, but said that when the People were murdered and their Creatures taken away two years since, there was not so much said about it, but now there was a great Noise about a few Horses; and after I had represented to them the abuse, and that I apprehended it would Introduce fresh Troubles, they after some Impudent Expressions, promised to return the Horses, but they are gone off without bringing them in."

"Brother:

"These are very bad things; I expect you will call a Council of all the Delaware Indians, and represent this matter to your Counsellors, and make these foolish young men bring back the Horses to Major Orndt, and ask pardon for their rude treatment of him; the Horses must be returned, and your young men reproved and charged not to do the like again."

At a Council held at Philadelphia, Wednesday, the 17th of October 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr. Lieutenant Governor.

Robert Strettell,	Richard Peters,	} Esquires.
Lynford Lardner,	Benjamin Chew,	

Yesterday Mr. Norris was chosen speaker, presented to the Governor, and approved.

Mr. Lardner and Mr. Chew, the Committee appointed to review the Minutes of Council, reported that they had perused all the Minutes from the Twentieth of April last, the time when the Gover. and Council first began to differ in Sentiment about the Bills presented by the House, and corrected them, and had desired Mr. Peters to write in separate Papers every thing that was said to each Bill, that all might be read and considered in order as it passed from time to time, on any one subject.

The Minutes of Council relating to the Supply Bill, were read, corrected, and approved, and Friday next was appointed to read and settle the others, and all the Members were desired to give their attendance.

At a Council held at Philadelphia, Friday, the 19th of October 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esqr. Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	} Esquires.
Richard Peters,	Lynford Lardner,	
Benjamin Chew,	Thomas Cadwalader,	

The Minutes of Council were read to this time, from the Twentieth of April last, and unanimously approved.

Whilst the Council was sitting, a Bill was presented to the Governor for his Concurrence, Entituled "an Act for the further continuance of an Act of Assembly of this Province, Entituled 'a Supplementary Act to the Act Entituled 'an Act for preventing the Exportation of Bread and Flour not Merchantable, and for the new appointment of officers to put the said Law in Execution,'''" which was read and returned to the House with a Message that the Governor gave his assent to it, and it was enacted immediately into a Law by the Governor and the House in the Council Chamber, sealed and lodged in the Roll's Office.

MEMORANDUM.

On the Twentieth, two Members waited on the Governor, to acquaint him the House inclined to adjourn to the third Day of December next, to which adjournment his Honour made no Objection.

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MEMORANDUM.

The Ninth of November, 1759, the Governor, being informed that Mr. Hockley, the Keeper of the Great [Seal] was gone into the Country, and that by his Absence a total Stop was put to the Administration of Justice, for want of Judges of the Common Pleas, thought it necessary to have the matter laid before the Assembly, in order to find a proper Remedy for this great Evil, and therefore sent to the Sheriff of the several Counties Writs to Summons the Representatives to meet him in Assembly on the nineteenth Instant, One of which Writs is as follows:

"[*L. S.*] *By the Honourable WILLIAM DENNY, Esquire, Lieutenant Governor, and Commander-in-Chief of the Province of Pennsylvnnia, and Counties of Newcastle, Kent, and Sussex, upon Delaware:*

"WILLIAM DENNY,

"*To the Sheriff of the County of Philadelphia, Greeting:*

WHEREAS, The Publick Service of this Province is much retarded, and the Government disabled to fill the Courts of Justice in several Counties, with Judges of the Common Pleas, pursuant to a Law now in force, occasioned by the Keeper of the Great Seal of the said Province, absenting himself for Two Weeks past, and upwards, and taking with him, or leaving the Great Seal in some Place unknown, where it cannot be come at, to the manifest Delay of Justice, and Subversion of the Powers of Government, Which requires that the Assembly of the said Province should meet before the time to which they stand adjourned; These are to Command and require you to summon the Representatives of the said County to meet me in general Assembly at Philadelphia, on Monday, the Nineteenth day of this Instant, November; Thereof fail not, at your Peril, and have you then there this Writ.

"Given under my hand and Seal, at Arms, at Philadelphia, the Ninth Day of November, One Thousand Seven Hundred and Fifty-Nine, In the thirty-third year of His Majesty's Reign."

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MEMORANDUM:

On Tuesday, the Nineteenth of November, Two Members of the House waited on the Governor, to acquaint him the House were

met in pursuance of his Summons, and requested to be furnished with a Copy of the Writ by which they were Summoned.

The Honourable Proprietaries having appointed the Honourable James Hamilton, Esquire, who arrived in Philadelphia last Saturday, to succeed Mr. Denny in the Administration, the Secretary was desired by Mr. Hamilton, to acquaint the House that he had received Orders from him to lay before them a Copy of the Writ by which they had been summoned, which was done accordingly.

At a Council held at Philadelphia, Saturday the 17th November, 1759.

PRESENT:

The Honourable WILLIAM DENNY, Esquire, Lieutenant Governor.

Robert Strettell,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	William Logan,	
Richard Peters,	Lynford Lardner,	
Benjamin Chew,	Thomas Cadwalader,	

The Honourable, the Proprietaries, having again been pleased to appoint James Hamilton, Esquire, Lieutenant Governor of the Province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, on Delaware, Their Commission bearing date the twenty-first of July last, under the Hands and Seals of the said Proprietaries, and under the Great Seal of the said Province, was read and immediately published at the Court House in the presence of a great number of Magistrates, Gentlemen, and Freeholders of the said Province.

The Commission, together with the Minute of the Privy Council, certifying the King's Royal Approbation of Mr. Hamilton, and his having taken the Oath before his Majesty in Council, were ordered to be entered, and follow in these Words:

"*THOMAS PENN and RICHARD PENN, true and absolute Proprietaries and Governors-in-Chief of the Province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, on Delaware,*

"*To James Hamilton, Esquire, Greeting:*

"WHEREAS, the late King Charles the second, by his Letters Patent, under the Great Seal of England, bearing date the fourth day of march, in the Thirty-third year of his Reign, was graciously pleased to grant unto William Penn, Esquire, (late Father of the said Thomas Penn and Richard Penn, since deceased), His Heirs and Assigns, The said Province of Pennsylvania, with large powers, Jurisdictions, and Authorities for the well-Governing, Safety, Defence, and preservation of the said Province and the People residing

therein, and more particularly to do and perform sundry matters and things therein mentioned, either by himself and his Heirs, or his or their Deputies or Lieutenants, as by the said Letters patent, relation being thereunto had, may more fully appear: *And Whereas*, the late King James the second, before he came to the Crown, by the name of James Duke of York and Albany, being rightfully possessed of a Certain Tract of Land lying on the West side of the Bay and River of Delaware, more commonly called and known by the name or Names of the Counties of Newcastle, Kent, and Sussex, on Delaware; and being likewise invested with Sundry Royalty's priviledges, Immunities, powers, Jurisdictions, and authorities, for the defence, safety, preservation, and well-Governing of the said Tract of Land and the Inhabitants thereof, did, by certain Deeds duly executed, and bearing date as therein mentioned, give and grant unto the said William Penn, his Heirs and Assigns, the said Tract of Land lying on the West side of the Bay and River of Delaware, with all and every the said Royalties, Privileges, Immunities, Powers, Jurisdictions, and Authorities which he the said Duke of York stood then invested with as aforesaid, as by such Deeds relation being thereunto had, may more fully appear: *And Whereas*, we did by our Commissions, under our Seals, bearing date the seventh day of May, in the year of our Lord, one thousand seven hundred and fifty-six, depute, constitute, and appoint William Denny, Esquire, to be Lieutenant Governor of the Said province and Counties, for and during the good pleasure of Us and the Survivor of us, and until further Order: *Now Know You*, that We have revoked and determined and by these presents Do revoke and determine our said recited Commission, and every Clause, article, and Thing therein contained: *And further Know You*, That we, reposing Special Trust and confidence in your Tryed and approved Loyalty to the King, and in your prudence, conduct and Integrity, Do, by Virtue of the said Letters patent and Deeds, depute, constitute, nominate, and appoint you, the said James Hamilton, to be Lieutenant Governor of the said province and Counties, Giving and hereby granting unto you full power and authority to exercise, execute, and put in practice, in ample manner, All and every the powers, Jurisdictions and Authorities, so granted unto the said William Penn, his Heirs and Assigns, by the said Letters patent and Deeds, as shall be necessary and convenient for the safety, well-being, defence, preservation, and well-Governing the said province and Counties and the people thereof, hereby comitted and entrusted to your care and charge; And generally, at all Times, and upon all Occasions, when proper and convenient, to exercise, do, execute, act and perform all, and all manner of powers, authorities, acts, military, and all other matters and things whatsoever, requisite and necessary for the good order of Government, for the administering, maintaining, and executing of Justice, and for the safety, peace, defence, and preservation of the said province and Counties, and the

people under your Government and Direction, as fully and amply, to all Intents, Constructions, and purposes, as We ourselves might or coud do by Virtue of the said Letters Patent and Deeds or any otherwise howsoever, were we personally present; You following and observing such Orders, Instructions, and Directions as you now have, or hereafter, from time to time, shall receive from us or our Heirs, To have, hold, execute, exercise, and enjoy the said Office or post of Lieutenant Governor of the said Province, Jurisdictions and authorities hereinbefore Granted, and all Titles, privileges, pre-eminences, profits, and advantages to a Lieutenant Governor and Commander Chief of the said province and Counties belonging and therewith usually held and enjoyed, unto you, the said JAMES HAMILTON, for and during the good pleasure of Us and the Survivor of Us, and until further Order: *Provided Always*, that nothing herein contained shall extend or be construed to extend to give you any power or Authority to sett, lett, lease out, Grant, Demise, receive, posess, Occupy, or dispose of any Manors, Messages, Lands, Tenements, Houses, Gardens, Royalities, Rent, Issues, or profits arising, belonging, or accruing unto us or either of Us, in the province and Counties aforesaid, or otherwise; Nor to intermeddle or concern yourself therewith, or with any part of the property thereof, or with any Officer or Officers appointed for the management thereof, ether by placing, displacing, interrupting, or hindering any of them in the just Execution of their Offices; But in Case your aid and assistance shall be wanted by them, and desired for our Service, Then, and in such Case, You are hereby required to assist them by all lawful ways and means to the utmost of your power, any thing hereinbefore contained to the contrary thereof in anywise, notwithstanding. And we do hereby strictly Command, charge, and require all persons within the said province and Counties, of what degree, quality, state or Condition soever, To yield, give, and pay unto you, all Respect, submission, and Obedience as Lieutenant Governor of the said province and Counties so appointed as aforesaid, as they will answer the contrary at their peril. Given under our Hands and Seals at Arms, the Nineteenth day of July, in the Thirty-Third year of the Reign of Our Sovereign Lord George the Second, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord, One thousand seven hundred and fifty-nine.

"THOS. PENN, [L. S.]
"RICH$^{D.}$ PENN, [L. S.]"

"At the Council Chamber, Whitehall, the 10th August, 1759.

"PRESENT:

"The Lords of His Majesty's most Honourable Privy Council.

"His Majesty having been pleased to declare his Royal allowance and approbation of James Hamilton, Esquire, to be Deputy Governor of the Province of Pennsylvania, without Limitation of time, and of the Counties of Newcastle, Kent, and Sussex, on Delaware River, in America, during his Majesty's Will and Pleasure, according to the nomination of Thomas and Richard Penn, Esquires, proprietaries of the said Province and Counties, He this day took the Oaths, in Council, appointed to be taken instead of the Oaths of Allegiance and Supremacy, and also the Oath required to be taken by the Governors of His Majesty's plantations, for putting in Execution the Acts of Trade and Navigation.

"W. SHARPE."

At a Council held at Philadelphia, the 18th day of November, 1759.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governour.

Robert Strettle,	Benjamin Shoemaker,	Esquires.
Joseph Turner,	William Logan,	
Richard Peters,	Lynford Lardner,	
Benjamin Chew,	Thomas Cadwallader,	

The Minutes of the preceding Council were read and approved.

The usual Proclamation was ordered to be prepared by the Secretary for the continuance of Officers until further pleasure, in order to be published to-morrow, and one was accordingly prepared, sealed and Published in these Words:

"*By the Honourable JAMES HAMILTON, Esquire, Lieutenant Governor and Commander-in-Chief of the Province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, on Delaware.*

"A PROCLAMATION.

"Forasmuch the Honourable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries and Governors in Chief of the province of Pennsylvania and Counties of Newcastle, Kent, and Sussex, on Delaware, have been pleased by their Commission, under their Hands and Great Seal, bearing date the nineteenth day of July last, to constitute and appoint me to be their Lieuten-

ant Governor of the said province and Counties, with all necessary powers and authority for the well-governing of the same; which said Appointment the King's most Excellent Majesty, in a Council held at St. James's the tenth day of August last past, was graciously pleased to allow and approve of: Therefore, in pursuance of the said Trust in me reposed, having a special regard to the safety of the State and Government of the said Province and Counties, and to prevent Failures in the administration of Justice therein, I have, by and with the advice and Consent of the Council of the said province and Counties, thought fit to ordain, and do hereby ordain and declare that all orders and Commissions whatsoever, relating to the Government of the said province and Counties heretofore lawfully and rightfully issued, which were in force on the seventeenth day of this Instant November, shall be, continue and remain in full force, power and virtue according to their respective Tenors, until my further pleasure shall be known therein; and that all persons whatsoever who on the said seventeenth day of November held or enjoyed any Office of Trust or profit in this Government by virtue of any such Commission as aforesaid, shall continue to hold and enjoy the same until they shall be determined by me as aforesaid, or by other Sufficient authority: And I do further hereby Command and require all magistrates, officers and Commissioners whatsoever, in whom any publick Trust is reposed in this Government, that they diligently proceed in the performance and discharge of their respective duties therein, for the safety, peace and well-being of the same. Given under my Hand and the Great Seal of the said province at Philadelphia, in the Thirty-third year of the Reign of our Sovereign Lord George the Second, King of Great Britain, France and Ireland, defender of the Faith, &c^a, and in the year of our Lord one thousand seven hundred and fifty-nine.

"JAMES HAMILTON.

"By His Honour's Command,
"RICHARD PETERS, Secretary.

"GOD SAVE THE KING."

—

November the 19, 1759.

This being the day on which the Assembly was to meet by summons from the late Governor, the Sheriffs of the Several Counties made returns of their Service of the Writs to Governor Hamilton.

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November the 20, 1759.

Two members of Assembly waited on the Governor, to acquaint him that a Quorum of the House was met in pursuance of a Sum-

mons from the late Governor, and desired they might be favoured with a Copy of one of the Writs, and accordingly, one of them was delivered by the Secretary the next day, to the Speaker, in Assembly; and in the afternoon the Governor received a Message by two Members, that the House inclined to adjourn to the Third december, the time to which they stood adjourned at their last Meeting; and the Governor having no objection thereto, they adjourned accordingly.

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November 21st, 1759

MEMORANDUM:

The Governor went to Newcastle, where his Commission was published at the Court House, in the presence of a very numerous audience, and likewise his proclamation for the continuance of Magistrates.

At a Council held at Philadelphia, on Monday, the 3d December, 1759.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Robert Strettle, Joseph Turner, } Esquires.
Richard Peters, Lynford Lardner, }
Benjamin Chew,

The Minutes of the preceding Council were read and approved.

The Assembly being to meet this day by adjournment, a Speech prepared by the Governor, was read and approved.

The Delaware Chief, Teedyuscung, came to Town on Friday, and the next day delivered to the Governor, four prisoners, vizt Two Elderly Women and two Boys. He acquainted the Governor at the same time, that there came with him two Messengers from the Ohio, with some good News, which he would communicate to his Honour, and having appointed to hear Teedyscung to-day, the Council waited for him 'till two o'clock, but he not coming, it was adjourned 'till to-Morrow.

At a Council held at Philadelphia, in the State House, on Tuesday, the 4th of December, 1759.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Robert Strettle, Benjamin Shoemaker, } Esquires.
Joseph Turner, William Logan, }
Richard Peters, }

Teedyuscung, } from Wioming.
Evans, }
Daniel, }

Tangoocqua, or Catfish, } Messengers from the Ohio.
Joshua, }

Moses Tattamy, Interpreter.
Lewis Montour.

The Minutes of the preceding Council were read and approved.

The Governor acquainted the Council, that on Saturday Teedyusing had visited him and informed him that he had conducted to Town two Messengers of the Delaware Nation from Allegheny; That he had brought four prisoners, two elderly Women and two Young Boys, which he then delivered up; and further, that he had with him Six Horses, which had been taken from the White People living on the borders.

On Teeedyuscung's intimating that he had something of consequence to communicate, and desiring he might be dispatched as soon as possible, he was told the Council would meet on Monday at twelve o'clock, to hear it. But he not attending (tho' the Council met purposely at the time fixed) the Council was again called, and the Governor let him known that he was ready to hear what he had to say.

Teedyuscung desired, as what he was going to say was of Consequence, he might have his clerk, And the Governor told him We had no Objection to his having his Clerk; And as he was in liquor, he said he thought it was best to postpone Business till to-Morrow, and then he might bring his Clerk; and recommended it to him to keep Sober. But Teedyuscung in an abrupt manner arose, and taking a String from Daniel, spoke as follows:

"Brother:

"At former Treaties held with this Government it was Strongly pressed upon me to return all the English prisoners, and I can truly say I have done my utmost endeavours in this matter, and have now brought you four of them, which were carried off towards the Heads of the Sasquehannah.

"The last time I was in Town cmplaint was made that some of my Young people made a practice of stealing Horses from the Borderers, and I was desired to reprove them and bring back the

Horses. This I thought right, and have now with me six Horses, which may be returned to their Owners."

Gave a String of Wampum.

"Brother:

"I shall not blind-fold you, I shall open your Eyes, and relate all I know. You may remember that at Easton we several times sat together face to face, about the good Work of Peace, and at last brought it to an happy Conclusion; as soon as this was done, you desired I would lift up my voice thro' all the Indian nations and get them to Join in this good work. This I likewise did with all my might, and all have heard the Halloo, to the very setting of the sun; this will be declared to you by these two Indians, who are Messengers sent to me by the Delawares on the Ohio. Eleven Nations have heard my Halloo, and acquainted these Ohio Delawares that they were delighted to hear of this good work of peace, and would join in it. You shall hear what they say for themselves."

Gave a String of Wampum.

"Brother:

"There has been, this Year, a great Meeting of Indians at Assunsing, on the Cayuga Branch of the Sasquehannah; these Messengers were there, I was present also at it, and so were my deputys from many Nations, who live as far as the sun Setting; all there present were heartily disposed towards the good work of peace except the minisink; But as to him he put his Hand to ours, and he drew it out again, and at last would not join with us; We think there is something bad in his Heart, which We desire you will get out; We leave this entirely to you; We have done with him; you know he has joined himself to the Senecas, and will do what they bid him do; The way to succeed with the Minisinks, is to talk first with the Senecas; We leave them to you to Treat for yourselves."

Gave a String of Wampum.

"Brother:

"You have often desired me to go myself among the Indian Nations, and use my Interest to turn them from assisting your Enemies; In compliance with your request, I have gone among them, and in my Travelling this Summer, I met with one that told me, that Eleven Nations had heard of my Setting Face to Face with the Governor of Pennsylvania at Easton; and that in these Conferences peace was at last Concluded by our joint endeavors, of which they were glad, and approved it mightily."

"Gave a String of Wampum.

"Brother:

"It only remains to tell you, that these two Indians came to me from Allegheny, and as they brought good News, I took them by

the Hand, and conducted them to You, and now let them speak for themselves."

Tingoocqua, alias Catfish, arose, and taking four strings of Wampum held two of them in his Fingers separate, and spoke:

"Brother:

"I have not much to say; I am only a messenger; I came from Kuskuskes; The Nation I belong to, as well as many others to the West of us, as far as the setting of the sun, have heard that you and Teedyuscung sat often together in Council, and at length agreed upon a Peace; and We are glad to hear that the Friendship and Harmony which, of old, always subsisted between our and your ancestors, was raised up again and established once more. This was very agreeable to us, and We came here to see if what was related was true; and We find it is true, which gives us great Satisfaction."

Then taking hold of the other two Strings, he proceeded:

"Brother:

"Now that Teedyuscung and you have, thro' the goodness of providence, brought about a peace, we entreat you to be strong; don't let it slip; don't omit anything to render it quite secure and lasting; hold it fast; consider our aged Men, and our young Children; and for their sakes be strong and never rest till it be throughly confirmed. All the Indians at Allegheny desire you to do so, and they will do all they can likewise."

Gave a String of Wampum.

"Brother:

"We make eleven Nations on the West of Allegheny, who have heard what you and Teedyuscung have concluded at the Treaty of Easton, and as we all heartily agree to it, and are determined to join in it, we have opened a Road to where Teedyuscung Lives; and we, the Messengers, have travelled much to our satisfaction on the Road which he has made from his Habitation to this Town. We have found it a very good Road, and all our Nations will use this Road for the time to come. We say nothing of the Six Nations; We do not reckon them among the Eleven Nations. We leave you to Treat with them yourselves. We make no Road for them; This is your own affair. We only tell you we do not include them in anything We say. I have done."

Gave Four Strings of Wampum.

Teedyuscung then arose and spoke:

"Brother:

"Remember what you told me at Easton; you said you was abler than I am. It is the truth. I acknowledge it; And as you have greater abilities than I, pray now mind what these Messengers have said; it is a very serious matter; don't Slacken your endeavours; persevere to the end; put forth your utmost strength. Be assured

that according to your Ability I shall join with you. Both together may make a firm peace that shall last forever."

Gave a String of Wampum.

"Brother:

"It may promote the General Service very much if you take a kind notice of these Messengers. The better appearance they make when they return to their Friends, they will think the better of your regard for their Nation and Judge that you are well disposed. Whatever you do on this occasion, will not be thrown away."

The Messenger observing one Sarah Gladdin amongst the people that were present, addressed the Governor and told him "That he had in his House a son of this Woman's a prisoner at Kuskuskes, and that he would take care he should be delivered in the Spring."

A List of the Names of the Eleven Nations, mentioned by the Indian Messengers:

Telamatinoo,
Taway,
Puteomy,
Chippaway,
Muskoking,
Tawatawee, or Twigtwee,
Pelagoshyoth, or Tapichtawee,
Cateogh,
Wewyashtanoos,
Keekapoo,
Ooshaashihock,
Leonopy, and
Shawonese.

The Governor's Answer to the Indian speeches.

"Brother Teedyuscung:

"I am glad I have an opportunity of seeing you so soon after my arrival. I have a just sence of the kind part you have taken in promoting the Good Work of peace, and shall be ready at all times to do you any service in my power. I desire if at any time you shall meet with uneasiness you will immediately come and let me know it, and I assure you by this string, that my Ear shall always be open to you."

Gave a String of Wampum.

"Brother:

"I laid what was said to me at our last meeting before the Assembly, who were then setting; and what I shall now speak in answer thereto, you are to consider as spoke not only by me, but by them and all the good People of the province, and hearken to it.

"Brother:

"The sight of our Flesh and Blood, after a tedious Captivity, gives us great pleasure, and I thank you for the Return of the four prisoners, and expect you will continue to do your utmost that all be returned to us as soon as possible."

Gave a String of Wampum.

"Brother:

"You have acted a just part in bringing the six Horses that have been Stolen from the poor people on the borders by some of your unthinking young men. The Inhabitants are now Returning to their Plantations in full confidence that they shall not be injured either in their persons or propertys. You must be sensible that most of their Work cannot be carried on without Horses, and therefore the taking them away will ruin the Farmers. This practice must be put an end to, and the persons guilty of it be brought to Justice, or it will endanger the peace which you and I have taken so much pains to establish. We give you this String to encourage you to reprove your young Men, and to be careful that all the Horses they have taken away may be returned to their right owners."

Gave a String of Wampum.

"Brother:

"By our Treaties it is our duty to inform each other of every thing that may be of use to us; We are neither of us to keep the other blind-folded, but to be open and unreserved on all necessary Occasions; We thank you for your Intelligence as to the good dispositions of the Indians, and for the pains you have taken in publishing the Peace far and wide, and for promoting this good disposition.

"Brother:

"We thank you for leting us know that you attended at a great Meeting of Indians, which was held this summer at Atsunsing.

"You know that you were appointed at Easton to be a Counsellor and Agent on the part of this Province; in consequence of your excepting this place of Trust, it is expected by us that you attend at all meetings of Indians, where you think you can promote our service, and We thank you for your attendance at that Council, and for acquainting us of the good disposition of the Indians present at it.

"We are informed that there is to be, in the Spring, a very great Council at some Town beyond the Ohio, and that you have received a very kind Invitation to be present; we think you may be of very great service in communicating all the matters that have been agreed to by us in our Conferences at Easton, and, therefore, desire you will not fail to go there and let them know how sincerely we are disposed for Peace, and that We shall use our utmost endeavours to establish it in such a manner as it may last as long as the Sun gives Light. We must insist on your attendance at the general meeting, as we have a reliance on your Council, and a Right to your assistance; and for your Encouragement, if you think proper, We shall send Mr. Frederick Post and Isaac Stille with you."

Gave a Belt of Wampum.

"Brother:

"We observe what you say as to the Minisink Indians; you know that at the last Treaty, at Easton, they joined heartily in the Peace, and promised to deliver us all the Prisoners. We thank you for your advice, and shall follow it, both with respect to the Minisinks and Six Nations."

Gave a String of Wampum.

"Brother:

"You have done very well in conducting these two messengers to us. I shall speak to them now, in answer to what they said to me.

"Brethren, the Messengers:

"You informed us that you heard that Teedyuscung had had several Conferences with this Government, and that We had consulted a Peace together, which was made known to all the Indians, and with which they were all pleased."

"Brethren:

"When Friends by any accident fall out together and return to their old Friendship, it is natural for them to feel a particular joy. We are glad to hear this is the case with you. We assure you that We are very sincere and hearty in this good work, and shall, according to your good advice, do everything in our power to make the peace universal, and as lasting as the Sun and Moon."

Gave a String of Wampum.

"Brethren:

"You informed us that you have opened a Road to Teedyuscung's Habitation at Wyoming, and that you found a good Road made by him from thence to this city.

"Brothers:

"We are glad to hear of this, and when we meet the Indians in Council, as We hope to do next Summer, We shall join in Clearing this Road, so as it may be travelled with the greatest safety."

Gave a String of Wampum.

"Brother Teedyuscung:

"You joined with the Messengers in desiring us to be strong, and reminded us of our abilities. We will not only be strong ourselves, but enable you to be strong, and if you should want our assistance before you go up to the Great Council over the Ohio, or to any other Meeting of Indians, you may apply to us for it."

Gave a String of Wampum.

"Brethren:

"You are come a great way to see us, and in a very Friendly manner. We are glad to hear you say you have found everything true that has been said to you respecting our good dispositions.

"You have a great way to go before you can get home, and the season is severe; We beg your acceptance of this little matter, which We give as a Testimony of our regard for you.

"Brothers:

"We cannot help acquainting you that at the several Treaties at Easton, it was solemnly promised that our Prisoners among you should be collected and delivered to us. We give you this String to encourage you to speak to every Nation as you go thro' their Country to perform this part of your Engagement."

Gave a String of Wampum.

"Brothers:

"Your Friends may enquire what News you bring from us; be pleased to inform them that Providence has favoured His Majesty's Arms with great success; the principal Fortifications at Louisburg, belonging to the French King, situate at the mouth of the River St. Lawrence, was taken last Year, and this Year not only their Forts of Niagara, Crown Point, and Ticonderoga were conquered, and are now in the possession of the King of Great Britain; but the Capital City of all Canadie, Quebec, is reduced, their great Warriors killed, and his Troops carried Prisoners of War to England."

Teedyuscung, after some pause, arose, and made the following reply:

"Brothers, and all present, take notice of what I am going to say.

"I am to put you in mind that when I speak, I not only speak for myself, but being chosen for some other Tribes, I speak for them also.

"Brother:

"I am not going to lay out any other Road, or to allow it, but only to make the Road plain, that you or any one who shall Travel it, may observe what we are doing.

"Whenever I speak to you, I always say it in publick; I always desire every one may hear us, for the Unamie Nation and I, we join fast together. To confirm the good Work, I said I would give an halloo, that every Body who pleases, may hear it.

"Now, Brothers, I thank you heartily for what you have said; I am well pleased with it.

"Brethren:

"You know We have made a firm Peace and good Road between you and me. We shall see if there is any body who is minded to spoil this good Road between you and me, and we will both join Hands together and cast them out; he must not hurt our Children."

Teedyuscung added, that he was pleased to the heart with what the Governor had sayd.

And the Messenger likewise, declared it gave him the greatest satisfaction, and he would declare it to all the head Men of his Country, who would be as well pleased as he was.

At a Council held at Philadelphia, Thursday, 6th December, 1759.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Benjamin Shoemaker, Joseph Turner, William Logan, Richard Peters, Lynford Lardner, } Esquires.

The House having acquainted the Governor that a quorum of the Representatives was met, and ready to go upon Business, His Honour, by the Secretary, required their attendance in the Council Chamber, and the Speaker and House waiting on him, he made the following Speach, of which, the Speaker requesting, and receiving a Copy, the House withdrew:

" Mr. Speaker, and Gentlemen of the Assembly:

" The Honourable Proprietaries having been pleased with his Majesty's Royal Approbation, again to appoint me to the Government of this Province, it gives me a great satisfaction that I have an opportunity, so soon after my arrival, of meeting you in Assembly, and of contributing my best assistance to any measures which may tend to the King's Honour, or the Publick Service.

" The Events of the War in America, during the last Campaign, have been so many and so glorious, and with a proper attention, may be rendered so beneficial, both to our Mother Country, and her colonies, that I cannot omit, most sincerely, to congratulate you upon them, and in a particular manner, on the very agreeable change in the Face of Affairs in this Province since my departure.

" As it is not the usual season of your setting to do Business, I know not whether you will incline to enter upon it at this time or make an adjournment to some future Day, which may be more convenient to your private Affairs. In either Case, I shall readily acquiesce in what is most agreeable to you, seeing I have no commands from the Crown or from the Proprietaries that require immediately to be laid before you. Whenever I shall be honoured with any such, which may be expected so soon as his majesty shall have determined on the further Operations of the War, I shall take the earliest Occasion of Communicating them to you.

" It only remains at present, Gentlemen, that I acquaint you with my firm purpose and resolution to serve the province by all honourable means in my power at once paying a Regard to the rights of the Crown and the just Privileges of the People, which, in the great model of the English Government, are so intimately connected as to afford mutual aid, support to each other, but which, if they are unhappily suffered to interfere, never fail to banish order and introduce Confusion.

" I cannot, therefore, but entertain hopes that, upon this principle of Acting, I shall both merit and receive an approbation of my Con-

duct from Gentlemen so long conversant in publick Affairs. At the same time, from my affection to the Province, the Assemblys & People may reasonably promise themselves every Act of kindness and Favour it may be in my power to shew them, consistently with my Honour and the Trust reposed in me.

"JAMES HAMILTON.

"December 6, 1759."

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December the 7th, 1759.

The Governor, by the Secretary, laid before the House a Copy of the Conferences with Teedyuscung, with the following Message:

A Message from the Governor to the Assembly.

"Gentlemen:

"There are two Indian Messengers in Town from the Ohio, who, with Teedyuscung, to whom they were recommended to be conducted here, have been assisting in a Council of Indians held at Atsintsing, an Indian Town, situate on the Cayuga Branch of the Sasquehannah. This meeting, as they have privately informed me, is only preparatory to a General Council, which the Western Indians proposed to hold in the month of April over the Ohio, and to which they have invited Teedyuscung and the Chiefs of the Indian Nations living on the Waters of the Sasquehannah.

"It gives me great satisfaction to find from what has been said to me by these Indians, a Copy of which is now laid before you, that the several Tribes of Western Indians are well effected towards us, and I should be glad, before I return them my Answer, to be advised by you in what manner this favourable disposition may be best improved.

"Teedyuscung having delivered to me four Prisoners, two elderly Women and two Boys, who are quite naked and destitute, I recommend it to you to enable me to make some Provision for them, and likewise to send these Messengers away well pleased with their Reception, being of Opinion with Teedyuscung, that it will be of great service, at this time, to engage the friendship of the Nation to whom they belong.

"JAMES HAMILTON.

"7 December, 1759."

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December 8th, 1759.

This day the Governor received from the House an address in an answer to his Speech, together with two Written Messages, one re-

lating to Indian Affairs, and another to the Provincial Forces. The Members who brought these Messages presented the Governor with a Draught on the Treasury for £500, and acquainted him that the House inclined to adjourn to the eleventh of February, if he had no objection to it. His Honour thank'd the House for their Order on the Treasury, and told them he should have no Objection to their Adjournment if upon perusing the Messages he should find they contained nothing that required their longer sitting, of which he would immediately acquaint them by the Secretary.

A Message to the Governor from the Assembly.

"May it Please your Honour:

"We, the Representatives of the Freemen of Pennsylvania, in General Assembly met, beg leave to congratu'ate your Honour on your safe Arrival in this province, and to return our hearty thanks for the Readiness you are pleased to express 'to contribute your best Assistance to any Measures which may tend to the King's Honour, or to the publick service.'

"The Governor's Resolution and purpose of serving the Province by all honourable means, at once paying a regard to the rights of the 'Crown, and the just privileges of the people,' cannot fail of giving us the highest pleasure, as we are well assured the just Rights of this Government, which are founded, as near a proprietary Government well can be, on the principles of its parent Constitution, so remarkable for its excellent policy, cannot be preserved without a strict regard to the prerogative of the Crown, and the Liberties of the Subject.

"This Resolution in your Honour is so agreeable to the Plan we have ever, and are still determined to pursue, as the only one that can secure prosperity and happiness to the people we represent, that we think it is our duty to assure your Honour that every measure which can tend to promote those purposes shall ever meet with our ready approbation and Concurrence.

"We cannot omit our sincere acknowledgements to the Governor for his Congratulations on the happy and glorious Events of the War in North America, and the agreeable change of affairs in this province in particular, since his Departure; and your Honour may be assured a due attention to them, and the best Endeavors to make them as advantageous to our Mother Country and her Colonies as possible, shall not be wanting in this Branch of the Legislature.

"As your Honour is pleased to inform us you have no Commands from the Crown to lay before us (to which, whenever communicated, we shall pay the greatest respect and regard), and we have no Business that requires our immediate attention, we are inclinable to adjourn to such time as we may reasonably expect to be furnished with them.

"Signed by order of the House,

"ISAAC NORRIS, *Speaker.*

"December 8th, 1759."

A Message to the Governor from the Assembly.

"May it Please your Honour:

"The Conferences with Teedyuscung and the Messengers from Ohio, laid Yesterday before the House, by your Honour, are very agreable to us, and we are pleased to find the friendly Disposition of the several Tribes of Western Indians towards us, which, in all probability, if well improved, may influence the Nations in favour of the British Interest, who have heretofore been too much attached to the French; and as it appears by these Conferences, that the Western Tribes of Indians have opened a road to us through Teedyuscung's Settlement, and have invited him to their Great Council to be held next Spring on the Ohio, we presume it may be of considerable Advantage to encourage Teedyuscung to undertake the Journey on this important Occasion; and we are of Opinion if Frederick Post and Isaac Stille were to accompany him, it might be of more general service; and request that they may have Instructions to insist upon the Delivery of all such of his Majesty's Subjects as have unfortunately fallen into the Hands of the Indians during the late Troubles.

"We have recommended the other parts of your Honour's message to the Commiss^rs, who will make a suitable provision for the prisoners now delivered, and also take care that the Messengers from the Ohio shall depart well satisfied with their Reception amongst us.

"Signed by order of the House.

"ISAAC NORRIS, *Speaker.*

"December 8th, 1759."

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A Message to the Governor from the Assembly.

"May it Please your Honour:

"The House having taken into Consideration the Great burthen of Taxes the people of the province are under, the large Arrears now due to the Soldiery, the peaceable and quiet Situation of our Frontiers, the happy effect of the peace lately made with the Natives at a very heavy expence to this province alone, and the little use in keeping up and supporting the present large number of Troops during the inactive season of Winter, have come to a Resolution to request your Honour would take the most speedy and effectual measures to disband the Old as well as New Levies, save the number of One hundred and fifty men, Officers included, which we have agreed to support for such Garrisons as you shall think necessary to keep upon our Frontiers.

"And as there is not Money sufficient in the Treasury at present to pay the Troops their full Arrears, we have resolved to pay them

as far as is in our power; and whatever sum shall be wanting for that purpose shall be given in Certificates, bearing Interest from their respective dates, to be discharged out of the next Money granted for his majesty's Service.

"Signed by order of the House,

"ISAAC NORRIS, *Speaker.*

"December 8th, 1759."

The Governor had scarce perused the above Messages when he received from Mr. Denny a letter wrote some time ago by General Stanwix, relating to the provincial Troops, which should have been given him on his first arrival, whereupon he instantly sent the Secretary to the House to desire they woud adjourn to the Afternoon, that he might have an opportunity of answering their message relating to the provincial Forces, as well as of laying before them a Letter of General Stanwix's to the late Governor, delivered to him since he received their message, and in the afternoon after duly considering the mischiefs that might ensue on the disbanding of the Forces, he sent to the House General Stanwix's Letter, together with a written message in these words:

A Message from the Governor to the Assembly.

"Gentlemen:

"Your Message of this day requesting me to take the most speedy and effectual means to disband the old as well as new Levies, save the number of one hundred and fifty men, officers included, gives me a good deal of Concern, as it advises a measure which I am sorry I cannot think expedient at this Juncture, for the following Reasons:

"First. It is not certainly known what may have been the issue of General Stanwix's late Conferences with the Western Indians at Pittsburgh; or whether the peace between them and his Majesty's Subjects is so firmly established as to admit, with safety to the Province, of so great a Reduction of the provincial Troops. In order likewise to reap the Full Benefit of any Treaty which may have been made, it is of advantage to make our new Friends sensible that we are in a Condition to enforce the Execution of it, or at least that we have no reason to be afraid of them; Neither of which is the more likely to be effected by disbanding so great a part of our Forces.

"Secondly. I am apprehensive that if so great a Reduction takes place, considering the small number of Regulars in the province, there will not be a sufficient number of men to garrison the several posts, which are thought necessary to be secured, to keep up the Communication from one to another, and to serve for Escorts of stores, Provisions, &c[a].

"Thirdly. As His Majesty's Orders, in regard to the further Operations of the War, may every day be expected, I cannot think it adviseable such a measure should be taken until his Royal pleasure shall be known therein, or at least till the General be made acquainted with it, and hath time to provide against such an Event, it being more than probable, from General Stanwix's Letter, communicated to me by the late Governor, that he hath already made a Disposition of the Forces for the Winter, upon a Supposition that the provincials would be continued as formerly.

"Upon the whole, Gentlemen, I earnestly desire you will please to Reconsider this matter, which, in my Opinion, is of the greatest Importance, with the attention it deserves, and suspend the coming to any final Resolution thereon, until the several particulars above mentioned be more fully known.

"JAMES HAMILTON.

"December 8th, 1759."

—

General Stanwix's Letter to Governor Denny.

"PITTSBURGH, October 18th, 1759.

"Sir:

"I ought to say something for my long silence, but really it has proceeded from my not having anything very material to trouble you with.

"We are proceeding here to establish a good post, by erecting a respectable Fort. Our advancements are far unequal to my wishes, beginning so very late as the 10th of September, which was as soon as I got up working Tools, and have continued as many Troops here as I can feed for the Works, and have been often brought to eight days' provisions. It is this that must bound every enterprize of every sort in this so distant a Country, and all Land Carriages. I shall struggle the best I can, and do my possible for the publick.

"Give me leave to put you in mind, that the First and second Battallions of your Troops are only paid to the first of August last; at the First of January, they will have five months pay due; They now complain of the hardship of not being paid their Arrears, and as the Service may require me to leave part of them here, and on the Communications, their Complaints and Uneasiness, if there is no fund provided by your Assembly to pay them, must certainly increase.

"The new Levies raised for the present Campaign, were paid four months pay at enlisting, and they will have about four months pay due the first of January. The want of money to pay off the new Levies for last year, who were discharged by a Certificate of Arrears at Lancaster, without money, Quarters, provisions, or Credit, laid the recruiting Officers and service, this year, under great Dis-

advantages. The Troops in the Garrison, and on the Communication, suffered greatly by Death and Desertions, altho' they were then paid to the first of October, and now only to the first of August. The paying up the arrears at the end of this Campaign, will render future Enlistments easy next spring, or whenever wanted, as whatever hardships the Troops may suffer through the Winter for the want of their pay, must disgust them at the province, and render even the filling up the old Battalions much more expensive to the Government. I understand that the whole of the Pennsylvania Forces, which were raised for three Years, are free in May or June next; as your Assembly generally meets towards the end of this Month, thought it my Duty to give you my Opinion on those matters, in as few words as I could; who am, with very great Truth.

"Sir, your most Obedient, and most humᵉ. Servᵗ.,
"JOHN STANWIX."

The House met in the Afternoon, and at night sent the Governor the following Message, by two of their Members, who acquainted him that the House had adjourned to the 11th of February, taking it for granted that the Governor had no more business to propose than what was fully answered in their Message.

A Message to the Governor from the Assembly.

"May it Please your Honour:

"We have taken into our Consideration your Message of this day, and are sorry we cannot think the Reasons you have offered sufficient to induce us to Revoke our Resolves; and withdraw our Request, that you would disband the Provincial Forces, except the number of one hundred and fifty men, Officers included.

"In answer to your Honour's first Reason, we beg Leave to Remark, that 'tis true we have not been made acquainted with the Issue of General Stanwix's late Conferences with the Western Indians, from the General, nor ever shall be, unless he should be pleased to communicate them to your Honour; But, from numbers of Circumstances, besides the Conferences now before us, We have reason to be persuaded that the Western Indians have laid down their Arms, and are ready to accept of any reasonable proposals of Peace that shall be made to them by this Province, or his Majesty's Commander-in-Chief in these parts; and if the great and uncommon Success of His Majesty's Arms in America the last Campaign, does not make the Indians sensible that His Majesty can enforce the Execution of the late Treaties made with them, we cannot think the small Aid of our Provincials will avail much to that purpose.

"Secondly. We have never been acquainted with the number of Regulars to the Westward; and tho' we had, we apprehend it cannot be collected, but rather the contrary, for his Majesty's Orders,

by His Secretary of State, that it is expected we should supply Men to Garrison the several Forts that are thought necessary to keep up the extensive Communication from one post to another, and was it expected, our Constituents, as observed in a late Message to your Honour, are not able to support the Burthen.

"Thirdly. We cannot think that our being unacquainted with his Majesty's orders in regard to the further operations of the War, ought to be any reason with us against disbanding our Forces in the winter season, as this practice is consistent with that of our Neighbouring Colonies, even in Times of the greatest danger; besides, by the Terms of the Enlistment of the new Levies, they have now a Right to demand it, their Enlistment being for the Campaign only, and common Humanity to the old Levies, was the province in a Condition to support them, would prevail with us to insist on this measure, as they have been kept from Winter Quarters, without Intermission, ever since their Enlistment, now more than three years, and early every Spring forced into the field, without the least Opportunity of recruiting, while most of the Regulars have had the advantage of every Refreshment during the Seasons of Inaction: This could not fail of occasioning the Sufferings, and indeed, the Death of many of them; and should the General make the Disposition intimated by your Honour, the like unhappy Consequences must certainly follow in a more dangerous degree, as well as prevent future Enlistments in the Spring, should any unforseen occurrence render them necessary.

"We, therefore, are obliged, in Duty to the people we represent, to persist in our request that your Honour would be pleased to disband the provincial Forces, agreeable to our former Message.

"Signed by Order of the House.

"ISAAC NORRIS, Speaker.

"December 8th, 1759."

The Governor having received a Copy of the Conferences held by General Stanwix with the Indians at Fort Pitt, the same were ordered to be entered.

"*Minutes of the Conferences, &c*[a].

"At a Meeting held at Pittsburgh, on the 24th of October, 1759.

"PRESENT:

"His Excellency Brigadier General Stanwix, with Sundry Gentlemen of the Army.

"George Croghan, Esquire, Deputy Agent of the Honourable Sir William Johnston, Baronet.

"Captain William Trent, } Assistants to George Croghan.
"Captain Thomas McKee, }

"Captain Henry Montour, Interpreter.

"Captain Montour lighted the Pipe of peace left here by the Warriors of the Ottawas, handing it to the General and the other Gentlemen of the Army, and Indians, to smoke, then acquainted the Indians by whom the Pipe was left, and upon what Occasion, shewing them the Belts left at the same time.

"The General then made the following speeches:

"'Brethren, Chiefs and Warriors of the several Nations present:

"'As we are met in Council to renew and brighten the Chain of Friendship, with this String of Wampum I open your Ears that you may hear what I am going to say to you.'

"Gave a String.

"'Brethren:

"'You are sensible that a peace between us has been settled by your Deputies, and I expect that you, the Chiefs and Warriors of your several nations, are now gathered here with a Resolution to perform the engagements entered into with us on your behalfs, by them.

"'Brothers:

"'No nations could ever charge the English with a Breach of Treatys; everything relating to the Peace made between us has been performed on our parts; the Original Draught of the Boundary Line Settled between us at the Treaty of Easton, by the Six Nations, was delivered them, and here is a Copy sent by Governor Denny to shew the Delawares and Shawonese, to prevent any Disputes hereafter arising on that head. There is one article of the Treaty yet remains to be performed by you; that is, restoring our Prisoners, which I insist on. To inforce what I have said, I give you this Belt.'

"Gave a Belt.

"'Brethren:

"'You are sensible that differences may happen between any nations; this is the first that ever happened between You and Us, chief occasioned by the insinuations of the French, who call themselves your fathers. These differences are settled, and we expect that you, the Chiefs and Councillors, will advise your young Men to behave towards us as Brothers ought to do; this, with the delivery of our Prisoners, is the way to convince us of the sincerity of your repeated professions of Friendship at the several Meetings held with you. In Confidence of your Sincerity I present you with this Belt of Wampum.'

"Gave a Belt.

"'Brethren:

"'As the peace is settled between the King's Subjects and all the Nations of Indians to the Sun sitting, I now present this Road Belt of Wampum to you that we may all Travel this Road in Peace as your fathers formerly did from the Sun rising to the Sun setting; and I expect that all Nations who chuse to live in friendship with

the Subjects of the King of Great Britain, my Master and your Father, will make this their Road, where they will find a sufficient Quantity of Goods to exchange for their Peltry, and strict Justice done them in Trade at this place, where his Majesty has been at a very Considerable expence to establish a Trading House, the better to Cultivate a lasting Friendship with all his Children to the Sun setting.'

"Gave a Road Belt.

"Mr. Groghan then made the following speech:

"'Brethren:

"'With this Belt of Wampum I disperse the dark Clouds from over our Heads, that we may once more see the Sun clear, which formerly Blessed our Fathers in peace.'

"Gave a Belt.

"Some Belts that were brought by Captain Lee, of the 44 Regiment from Niagara, sent there by the Chepawa and Custanoe Nations, with Profers of Friendship, were shewn the Indians, and they were made acquainted with the Substance of the Speeches delivered with them.

"Captain Montour then, by order of the General, acquainted the Indians that we had taken the City of Quebeck, and that we expected soon to drive the French out of America, and desired the Indian Chiefs to caution their young Men against carrying off our Horses; that he was willing to do every thing in his power to oblige them, that he would do them all strict justice, and expected the same treatment from them. The General then acquainted them by Captain Montour that he was done speaking.

"The speaker of the Wayendoots (as they are the oldest Nation) got up, shook hands with the General, and returned thanks in behalf of the whole for what had been said to them, and then recommended it to the several Nations to pay a due regard to what they had heard."

"At a meeting held at Pittsburg, October 25th, 1759.

"PRESENT:

"His Excellency Brigadier General Stanwix, with sundry other Gentlemen of the Army.

"George Croghan, Esqr and sundry Assistants.

"Captain Montour then, by order of the General, acquainted the Indians that he was ready to hear what they had to say.

"The speaker of the Wayondotts then got up and said:

"'Brethren:

"'I am glad to meet you in Council; here are the Six Nations: Shawnese, Delawares, and Twigtwees; as we are the oldest Nation, I shall speak first, and they shall hear what I am going to say.

"'Brethren:

"'I am glad to meet the King's General and you, who came from Sir William Johnson to treat with us, and at whose invitation we came here to Council; listen to what we are going to say.

"'Brethren:

"'It is a great while since we were first Acquainted with our Brethren, the English, at Albany, at which place we entered into a Treaty with them; the Records of that Treaty remain amongst you; we have Copys of it at home; we never intended to have violated that Treaty on our part, but when our fathers (the French) came here and took possession of this place, by this instigation the evil spirit got the better of our Understanding, and we engaged in the War against you.'

"Gave a string of White Wampum.

"He spoke again upon a large Belt of Black Wampum, directing his speech to Sir William Johnson and George Croghan, Esqr.

"'Brothers:

"'You are appointed by the King to transact Business with us, the Indians; you have hitherto done it to our Satisfaction; we hope the King's General will act on the same principles; you have it now in your power to have all the Indian Nations in your Interest; it is true, for some time we were led blindfold.

"'Brothers:

"'When we first joined with our Brethren, the English, they told us they looked upon us as one people, with one Head and one Heart with themselves; we looked upon the English in the same light till the evil spirit, by the persuasions of the French, got the better of our understanding and led us astray, but we hope every thing that has passed will be buried in Oblivion.

"'Brothers:

"'We received Several invitations to come here to Council; but before we left home a great Council was held there amongst the Chiefs of our Nation; we were sent here by them to confirm the peace; when we came here we found a great number of Warriors gathered, for what purpose we don't know.

"'Brothers:

"'We have repeatedly heard you intended to pursue the War against the French over the Lakes in our Country; we have been constantly alarmed with your coming, but now we are come here we find you are not gone; we should be glad you would not pursue them, they are a parcel of poor people, destitute of every thing, besides we do not know how the several Nations there might take it; but for our parts, our Hearts are with the English.'

"He then delivered the Belt, and shook hands with the General and Mr. Croghan.

"He spoke again upon a Belt painted Green.

"'Brethren:

"'The Women of our Nation return thanks for the speeches we received by our Deputies, who were here this Summer; they are

glad to hear of Peace, and hope you are sincere; they have promised to tell their Children that it was the English that gave peace to this whole country, that it may ever be remembered in our Nation; they hope your Intentions are not go any further, or carry on the War, but to build a Trading House, where they may come and Trade and get goods at moderate prices, for they are very poor, and will be much obliged to the General for sending them a Small present.'

"Gave the Belt.

"He spoke again upon a Belt of Black and White Wampum; the White painted Green.

"'Brethren:

"'It is a long time since this whole Country has been overspread with darkness; being led by the Evil Spirit, we have been assisting in spreading this darkness, but you, the White people, by making War upon each other, was the first Occasion of it.

"'Brothers:

"'The French put the Hatchet into our Hands the beginning of this War, and the evil spirit getting the better of our understanding made us make use of it; in the presence of our Cousins the Delawares, and the other Nations here, we bury that hatchet; we not only put it under the Ground, but we pull up a large Pine Tree, whose Roots are deep in the Ground, and bury it where it will never be found more; our Cousins, the Delawares, have done it before.'

"Gave the Belt.

"'Brethren:

"'These are the Speeches made and settled on in Council before we left home, and with which we were charged.'

"He then acquainted the General they were done; the General returned thanks for what he had said, the General drank their Healths and broke up the Meeting."

—

"At a Meeting held at Pittsburgh, Octocer 26th, 1759.

PRESENT:

"George Croghan, Esqr Deputy Agent to the Honourable Sir William Johnson, Bart.

"Captain William Trent,
"Captain Thomas McKee, } Assistants to George Croghan, Esqr.

"Captain Henry Montour, Interpreter.

"Teedyuscung's Brother, in behalf of Custalogo, made the following Speeches:

"'Brethren:

"'We are met this day in Council in the presence of our Uncles the Six Nations and Wyandotts, & our Grand Children the Shawa-

nese & Twigtwees; with this string of Wampum I wipe the Tears from your Eyes and open your Ears that you may hear what I am going to say, and I clear the passage of your Heart that nothing that is ill may harbour there.'

"Gave a String.

"'Brethren:

"'It gives us great Satisfaction to hear what you have said to us, you have spread peace over the Country we live in, and made a road from the sun rising to the Sun setting; we return thanks for what you have done, and we hope you will continue to do good to us, and we return you thanks in behalf of our Women & children, and we shall take care to acquaint our Children as they grow up with what you have done, that it may never be forgot in our nation.'

"Gave a Belt.

"'Brethren (the Beaver Speaker):

"'I have heard what has been said by you at the several Conferences you had here; it was all good, and pleasing to all Nations that heard you, and agreeable to the Treaty of Easton. The Belts you sent me last fall I took over the Lakes, and made known your Speeches to the several Nations, who you have seen here; but there is several Nations yet who now has your Speeches, considering of them; and I hope they will come next Spring and take hold fast of the Chain of Friendship.'

"Gave a String.

"'Brethren (the Beaver speaker):

"'By the speeches sent me last fall by Frederick Post, the Governor of Pennsylvania promised that we, the Indians of all Nations, should have Goods here as cheap as they were sold in Philadelphia. This I have made known to all Nations, and they expects Goods to be sold here as he promised. Be strong and perform your Promises; don't make me ashamed. At present Goods are dear here, on account of the great number of White Men; but I hope Goods will be sold at Such Rates as will encourage all Nations to come here and Trade.'

"Gave a Belt.

"'Brethren (the Beaver Speaker):

"'We have heard what you have said to us, and you have heard what we have said to you. God above has heard all; and I hope at the next meeting that we will be able to convince each other of our Sincerity.

"'Brethren:

"'We are very well pleased with the speeches you have made us. In one of your Speeches you desired to see your Flesh and Blood that lives amongst us; it is only a reasonable Request, and what all Nations should comply with. Here is the number of all your

people in our Nation (holding a bunch of sticks in his Hand); we have killed none, but what were killed in Battle. Those that are amongst us you shall see every one, but it is impossible for us to set the time; but this was agreed to in Council before we left our own Country; and you may depend upon this promise being performed, to a single person, unless any of them should dye with sickness before we can bring them here.'

"Gave a bunch of Strings containing 41.

"'Brethren:

"'By this String of Wampum, I return you thanks in behalf of our Nation for the Road you have made to the Sun Setting, for all Nations to travel in Peace; you have dispersed the dark Clouds from over our heads, that we may all see the Sun again, and I hope we shall live in Peace and Friendship, as our fore Fathers formerly did.'

"Gave a String.

"'Brethren:

"'I was charged by the Council of our Nation when I left home, to assure you that they had in fresh remembrance all the former Treatys they held with their Brethren, the English, and that they were determined to hold fast by the ancient Chain of Friendship subsisting between the English, Six nations, and us, and to brighten the chain of Friendship, which has contracted some Rust since the commencement of this War.'

"Gave a Belt.

"After the Conference was ended, the General sent for the Chiefs of the several nations, and made each of them a present of a medal, for which the Indians returned thanks. After drinking the King's Health, and all the Indian Nations, The General took leave of them."

A Conference with Teedyuscung, the 28 January, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &c^{a} and Richard Peters, Esquire.

Teedyuscung visited the Governor, and acquainted him that he had received a Message from Eckoang, the head man of the Minisinks, alias munsies, by an Indian Messenger on Snow Shoes, called Punicheckan, who came to him at Fort Allen, where he had mostly been since he left this City, and, taking out a String of Wampum, he repeated Eckoang's Message, vizt: That the munsies would deliver all their prisoners in the Spring; he added, that this gave him great satisfaction, because Eckoang, who came with many other Indians to the meeting at Atsuntsing, did not then seem hearty in

this matter, tho' he acknowledged he had thirteen prisoners, and declined answering him when he demanded the English prisoners, but now being come to a better mind, he has sent this favourable Message.

Gave the Governor Eckoang's String.

Teedyuscung acquainted the Governor that he proposed to go to Atsuntsing as soon as the weather will permit, and desired he may be assisted with Wampum and other necessaries. He likewise told the Governor that the Indians were not pleased with Andrew McNeer, into whose care they were put, and desired David Edwards might be appointed to take care of the Indians, as he was better acquainted with Indians, and had always given them Satisfaction.

The Governor the next day had a Conference with the provincial Commissioners, at which Teedyuscung was present, and everything was done for him that he requested.

MEMORANDUM.

Information being given on Oath, to the Governor, that Captain Appowen, who was arrived in Christianna Creek, from Jamaica, in the Ship Carrington, had brought in two french priseners, who were concerned in the murder of Captain Stiles and his mate, committed in a most cruel manner after the vessel was surrendered to two French privateers and they in full possession of her, the said prisoners were apprehended by Warrant from the Governor, and examined on the 22nd Instant, and the Examinations being wrote fair were read to them, and agreed by them to be truly taken down, Alderman Benezet, Interpreter. The prisoners were ordered to be continued in Jayl, and their Examinations put among the Council Papers.

At a Council held at Philadelphia, the 12th February, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &c[a]

Benjamin Shoemaker,
Benjamin Chew,
Lynford Lardner,
} Esquires.

A Letter from General Amherst, of the 31st January, was read, & as the Assembly have sent the Governor a Message that they are now met according to their adjournment, it was laid before the House with the following Message:

A Letter from his Excellency General Amherst to the Governor.

"NEW YORK, January 31st, 1760.

"Sir:

"I have not sooner acknowledged the receipt of your Letter of the 9th Instant, because I was in daily expectation of the arrival of a packet with the King's Commands for the Operations of the ensuing Campaign, and His Requisition from his faithful American Subjects for their aid and Assistance towards carrying on the same; but as she is not yet come in I can no longer defer repeating my most pressing Instances to you, in case I should not receive any such commands before the Eleventh of next Month, to which time I see your Assembly is adjourned, to move them to make fresh provision for at least the like number of men, they have so hastily disbanded, a measure which gives me the greatest concern, as by a Letter received this moment from major General Stanwix, it has greatly distressed him. I trust therefore, that the Assembly, sensible as they must be of this distress, will repair the Same, by as early a new Levy as possible.

"I am with great Regard, Sir,
"your most Obedient humble servant,
"JEFF. AMHERST."

—

A Message from the Governor to the Assembly.

"Gentlemen:

"By the Letter now communicated to you, which I have had the Honour to receive from his Excellency, General Amherst, you will perceive that the Resolution, taken at your last meeting, of disbanding so considerable a part of our Provincial Forces, has given him the greatest Concern, as well as very much distressed Major General Stanwix, who commands his Majesty's Troops to the Westward, and that expecting daily to receive the King's Commands for the Operations of the ensuing Campaign, He presses me in the most earnest manner to move you to repair the same by as early a New Levy as possible.

"As I have not the least Doubt, Gentlemen, of your Zeal to promote the King's service and that of your Country, I persuade myself you will decline no reasonable means in your power for the attainments of those valuable Ends. And as the Circumstances of the War on this Continent, notwithstanding the Success with which it has pleased God to bless his Majesty's Arms, will in all probability require the Work of another Campaign to bring it to such an issue as may be agreeable to his Majesty's Views, I see not how you can render a more acceptable Service to the King and to the nation, from whom we have received such seasonable and unlimited

protection, than by seconding, according to your Ability, all such measures as his Majesty in His Wisdom is pleased to direct for that purpose.

"You will give me Leave, therefore, Gentlemen, to recommend to you in the strongest manner, a compliance with the General's request, signified in his Letter, and that in such due Season that the Troops when called upon may be in readiness to enter upon the service to which they may be destined, sensible, as you must be, that much of the Success of Military Operations depend upon the being able to take the Field early and before the Enemy can have strengthened themselves by collecting their whole Forces.

"Whatever further shall occur to me in the Course of the Session, that may be proper for your Consideration, shall from time to time be communicated by Message, as Occasion may require.

"JAMES HAMILTON.

"February 12, 1760."

The Governor acquainted the Board that he had been served by the Reverend Mr. William Smith, Doctor of Divinity, with an Order made by his Majestie's most Honourable privy Council, of the 26 June last, upon the Complaint of the said William Smith against the Assembly of this province for the year 1758.

Doctor Smith's Petition and the Order of Council were read in these words:

"At the Council Chamber, Whitehall, the 26th day of June, 1759.

"PRESENT:

"Arch Bishop of Canterbury.

"Lord President.

"Earl of Cholmondely.

"Earl of Kinnout.

"Viscount Falmouth.

"Lord Berkely of Stratton.

"Sir Thomas Robinson.

"Upon reading at the Board a Report from the Right Honourable, the Lords of the Committee of Council for plantation Affairs, dated this day, in the words following, vizt:

"'Your Majesty having been pleased, by your Order in Council of the 1st of April, 1758, to referr unto this Committee the Petition, Complaint, and Appeal of William Smith, of the City of Philadelphia, in the province of Pensilvania, Clerk, setting forth, That the Petitioner, on the 6th day of January, 1758, by Order of the Representatives of the people of the said province in Assembly then sitting, was arrested by their Serjeant-at-Arms; and by virtue of

that Order held in close Custody until the 25th day of the said Month, a great part of that time not being permitted to speak to any person but in the presence of the said Serjeant; nor to hold any Correspondence in writing, but with his privity and Consent; That during the Time of the Petitioner's Confinement, he was in a formal manner brought to the Barr of the House of Assembly, and by them charged with being a promoter and Abettor of the writing and publishing a Libel, intitled The humble Address of William Moore, one of the Justices of the peace for the County of Chester; That the Petitioner being one of the Trustees under an Honourable private Society in London, for maintaining Charity Schools to instruct Germans there; and to that end, having the care and direction of a printing press to furnish them with a Newspaper and other matters in their own Language, doth acknowledge and never did deny That when he found the said Address, which animadverted on the proceedings of a former dissolved Assembly, printed and published in the pensilvania Gazette, by Benjamin Franklin & David Hall, who are the known and publick printers to the Assembly, and in the pensilvania Journal, by William Bradford of the said City, he did (though a considerable time after such printing and publishing in the English papers) advise it to be translated into the German Tongue, and published in the said German Newspaper; That the petitioner answered to the charge of the Assembly, that he was not guilty of any matters of which he stood accused, and protesting he never had the least Intention to violate the privileges of that House, with great humility, and prayed them to Order him a Tryal, for his supposed Offence, in Some Court of Justice, according to the Laws of England and this province; For Reason, alledging, that if he had committed the Crime charged, it was cognizable in the established Courts of Justice, and by the Assembly's imprisoning, trying, putting him to great Charge in his Defence, and finally punishing him, (if they should so far proceed), he might be twice punished for one and the same Offence; That the House, rejecting the Petitioner's prayer, did by vote resolve to try the petitioner themselves, and, for that purpose, did direct him to bring his Witnesses before them, for summoning whom they gave their Orders, and did allow the Petitioner Counsel to speak to matters of Fact only; They, by another Vote, having resolved that neither the petitioner or his Counsel should be heard concerning their Jurisdiction or any other matter of Law, and did appoint a day for the petitioner's Tryal; That the Petitioner, being thus compelled to waive points which he judged very material in his Defence, and to submit to the Jurisdiction, power, and direction of those who did not scruple to acknowledge themselves principal partys, yet hoping to mollify them by his submission and by making it appear he had no design of violating their privileges, did undertake to defend himself, and manifest his Innocence in the manner prescribed to him, which he humbly apprehends, he did so effectually as must have given entire satisfaction

to all unprejudiced Judes, and have obtained his Discharge; That notwithstanding the assembly's proceedings in all the Forms of an Indifferent and legal Court of Judicature, by summoning Witnesses, examining them on their Oaths in and by the Authority of the House administered, terrifying some (who were not inclined to Swear or answer) with Imprisonment, and hearing the Prisoner at the Bar, as they called the Petitioner, in his Defence, still reserving to themselves the inclusive power of declaring the petitioner Guilty or not Guilty, did, at last, very unjustly, by the votes of a Majority as their Verdict, find the Petitioner guilty of part of their charge against him, namely, the promoting and publishing the said Libel, entituled as above, and, thereupon, intending to render the Petitioner infamous among the people, and to brand with Disgrace and Ignominy the Character of a Clergyman of the Church of England, who is placed at the Head of a Seminary of Learning in the aforesaid City, and engaged in sundry other publick undertakings, did, by their final sentence, adjudge the petitioner should be committed to the Newgate, or common Goal of the said County, the place for Thieves, Murderers, and Felons, as well as Debtors, There to be detained until further Orders from the House; To which loathsome Goal he was committed on the aforesaid 25th of January, and therein lay at the time of sending over his Petition; That the petitioner did immediately read, and tender an appeal from this Judgment to your sacred Majesty in Council, and prayed to have the same entered upon their minutes, which they refused to do, intimating that no appeal lay from any Judgment of theirs to your sacred Majesty in Council; That the petitioner, in his said appeal, did further pray that their Clerk should deliver to the said Petitioner attested Copys of all Papers, Minutes, and proceedings, relative to the Petitioner's Tryal, humbly to be laid before your Majesty; To which prayer, although the matters therein mentioned have been since specially desired, they have not yet vouchsafed to give the petitioner any Answer; That although, by the Depositions taken before the House, it appeared that very many Persons, Lawyers and others, had seen, approved of, and advised the printing and publishing the address of William Moore before it was printed; That the Speaker and two other members of the Assembly, being consulted on the said Address, previous to its publication, by the Printer to the House, and by him acqainted with the contents thereof, did counsel and advise, and as far as in them lay, authorize the printing and publishing the same; That David Hall, the acting printer of the pensilvania Gazette, and William Bradford, the printer of the pensilvania Journal, did, also, before the House acknowledged they had printed and published it, and that altho' it appeared that the paper, laid to the charge of the petitioner, was only a Republication in the way of his Business, and that, of all those concerned in it, he was the least so, yet no person had ever been called in Question as a Criminal

for any matters relating thereto, but the unhappy petitioner, except Mr. Moore, who declared himself the author; That the Petitioner, on the 4th day of February following, in due form of Law, applied to the Chief Justice of the province, to grant him your majesty's Writ of Habeas Corpus, in order that the Petitioner, on the Return thereof, might either be discharged or bailed, as the nature of his case should require; Whereupon, the said Chief Justice answered, that on a view of a Copy of the petitioner's Commitment, it appearing to him that, among other things, the petitioner was committed for a breach of Priviledge, he did not think himself authorized in granting a Habeas Corpus and bailing the Petitioner during the sitting of the House, and therefore was obliged to reject the prayer of the said petitioner; That the petitioners verily believes the words in the said Commitment which appear to the Chief Justice to imply a Breach of Priviledge, were untruly inserted therein, on purpose to exclude the petitioner from this legal Relief, as there was no Breach of priviledge intimated in the sentence passed against the petitioner by the House, and as he was never charged, even by the Assembly, with the least Indecency of Behaviour or mark of Disrespect to the House, during the whole process, nor with any other matter that could be construed a Breach of Priviledge of the Assembly then convened; That the Petitioner did afterward, on the said 4th day of February, Petition William Denny, Esquire, Governor of the province, setting forth the peculiar hardships of his case, praying such Relief as his Honour thought suitable and just. To this the petitioner received for answer, that the Governor with great Compassion beheld the petitioner's afflictions, but if he had any power to interfere in that matter, the exercise of it might at that critical juncture endanger the safety of the whole province; That under these distressing and miserable Circumstances, destitute of an Aid from our Laws or Government, so that his Imprisonment might be continued during his Life, the petitioner, unable to contend with so weighty a Body who are in possession of all the publick Money of the province, was compelled to Apply to your Majesty, the last Resort from your Colonys, and Fountain of all Justice within your Majesty's Dominion, for Redress, and most humbly implored your Majesty to afford the petitioner such Relief as in your Wisdom should appear just and equitable.' The Lords of the Committee, in obedience to your Majesty's said Order of Reference, did, on the 10th of the same April, 1758, take the said petition into their Consideration, and thought proper to referr the same to your Majesty's Attorney and Sollicitor General, who have thereupon reported to this Committee, That they had been attended by Counsel for the petitioner, and likewise by Counsel on the behalf of the Assembly of the province of Pennsylvania, and had examined into the Allegations of the said petition, and did find that the petitioner was concerned in advising a certain paper, intitled 'An humble Address of William

Moore, one of the Justices of the peace for the County of Chester,' directed to the Honourable William Denny, Esquire, Lieutenant Governor of the said province, to be printed and published in the Pennsylvania Gazette, and that the said petitioner did afterwards direct and procure the same to be translated into the German Language, and published in another public Newspaper, for the perusal of those Foreigners residing within the same province, who understood that Language only; And that the said paper contains many Scandalous Reflections upon the Assembly of that province, to whose proceedings it related, and was a Libel upon the said Assembly; And they further found that the petitioner, on the 6 of January, 1758, was arrested by the Sergeant-at-Arms of the Assembly then sitting, and being afterwards brought before the s^d. Assembly, was charged with being the promoter and Abettor of the writing and publishing a Libel intitled 'the Address of William Moore, one of the Justices of the peace for the County of Chester,' That thereupon Mr. Smith being brought before the said Assembly, was permitted to make his defence by Council; But the Assembly having before resolved that the said petitioner, or his Counsel, should be allowed to speak or argue against the authority or power of that House to take Cognizance of the charge against him, or to argue that the said address was not a Libel, they did refuse to permit either him or his Council to arg e either of the said Points. And the said Attorney and Sollicitor General find further, that the said petitioner, with many other persons, having been examined touching the said Complaint, and the said petitioner and his Counsel having been heard in Answer thereto, the Assembly proceeded to pass this sentence upon the petitioner:

"'Mr. Smith:—This House having enquired into the charge against you, have found you Guilty of Promoting and publishing the libel intitled 'the Address of William Moore, Esqr' and do order that you be committed to the Goal of this County, until you make Satisfaction to this House.

"'That in pursuance thereof, the Assembly made an Order for the Commitment of the Petitioner to the common Goal of the City of Philadelphia, which order of Commitment bears date the 25th day of January, 1758, and is in the following Words:

"'*Pennsylvania, ss*:

"'*To James Coultas, Esqr., Sheriff of the City and County of Philadelphia:*

"'The House of Assembly of the province of pennsylvania hath this day adjudged William Smith for promoting and publishing a false, Scandalous, virulent and Seditious Libel against the last House of Assembly of this province, and highly derogatory of, and obstructive to the Rights of this House, and the privileges of Assembly; These are therefore in behalf, and by order of the said last mentioned House of Assembly, to require and charge you to receive

the said William Smith into your Custody within the Common Goal of your County under your charge, and him therein safely to keep and detain until you shall receive further Orders from this House; Hereof, fail not, as you shall answer the contrary at your Peril. Given under my Hand this 25 day of January, in the year of our Lord, 1758. THOMAS LEECH, *Speaker.*

"'And your Majesty's said Attorney and Sollicitor General further Certified that the said Assembly being apprehensive that the petitioner might apply for a Writ of Habeas Corpus, in order to his Discharge, they did pass the following vote:

"'Ordered, That Mr. Speaker do give it in Charge to the Sheriff, to keep his Prisoner, Mr. Smith, provost of the Academy of Philadelphia, in close Custody, agreeable to the Directions of the Commitment to him delivered, And that he do not obey any Writ of Habeas Corpus or other Writ whatsoever, that may come into his Hands for bailing or discharging the said William Smith, or otherwise discharging him from his Custody, on any pretence whatsoever, and that this House will support him in his Obedience to this Order.'

"'And they further find that when the Petitioner, upon the 4 of February, applied to the Chief Justice of the province to grant him your Majesty's Writ of Habeas Corpus, the said Chief Justice refused the same, alledging that as the Petitioner was committed for a Breach of Priviledge, He, the said Chief Justice, did not think himself authorized in granting an Habeas Corpus, and bailing the petitioner during the sitting of the House.

"'That upon this State of the Facts, the Council for the petitioner insisted

"'1st. That the Assembly had no right to take Cognizance of this offence, and erect themselves into a new court of Judicature by trying and punishing any man for a Crime, which by the ordinary course of Law was only cognizable in his Majesty's Courts of Justice, & tryable by a Jury.

"'2. That abetting the publication of the Libel was no contempt or Breach of the priviledge of the Assembly; nor was so described either in the charge or Sentence drawn up against the petitioner.

"'3. That it was Arbitrary and illegal to refuse the Petitioner the Liberty of arguing against the Jurisdiction of the Assembly, or to shew that the paper in question was no Libel.

"'4. That admitting the paper to be a Libel, and likewise a Contempt of the Assembly; and admitting, likewise, that an Assembly in America had a Jurisdiction to try and punish Contempts and Breaches of Priviledge, yet that this Right could exist no longer than that Body existed, which had been so insulted; and that, therefore, in the present Case the Assembly, so reflected upon by the paper in Question, being dissolved, no future Assembly could take up the Consideration of this matter.

"'Lastly. That it was a high Violation of your majesty's Prerogative, and a subversion of the Law, to issue an Order, commanding the Sheriff to pay no Obedience to your Majesty's Writ of Habeas Corpus.

"'In answer to which it was insisted, That all Courts of Justice, and all Branches of a Legislative Body, had a Right to punish Contemts against themselves, and that the House of Commons in England had always asserted and exercised such Right.

"'That the Libel in Question was a manifest Contempt of the authority of the Assembly, arraigning their publick acts, and charging the whole Body with Injustice, Oppression, and Calumny, and as such, was the highest Breach of Priviledge, tho' not so called in the Charge.

"'That if it be once admitted that this Libel was an Offence of this kind, and properly cognizable by the Assembly, it was highly improper to suffer the point of Jurisdiction to be argued, on the nature of the paper to be debated at the Bar, wherein the Assembly had followed the Example of the House of Commons in Great Britain.

"'That according to the Reasoning of the Council for the petitioner, as the Assembly, by the Laws of Pennsylvania, meet and are dissolved annually, every House of Assembly would subject to the Scandal & abuse of every Libeller, who would be content to wait till the Dissolution; or if he presumed to insult them even during their Sitting, might be sure to escape with Impunity, by keeping out of the way till they were disolved.

"'That, though the Order to the Sheriff might be irregular, yet it was done upon a presumtion, that if the Writ had issued, the prisoner must have been remanded, because it is a Commitment in Execution, and not bailable.

"'Upon the whole, Your Majesty's Attorney & Sollicitor General, were of Opinion That the paper in Question, was a Libel, and if it had been published whilst the Assembly was sitting, which it had aspersed, They would have had a right to have punished the Authors & publishers thereof, the same being a manifest Contempt. But after that Assembly was dissolved, that kind of Jurisdiction ceased, and the subsequent Assembly had no right to take up the Consideration of this Offence as a Contempt to themselves, who were not then in being, and consequently, could not be aimed at, described, or calumniated, by a Libel published before their election.

"'That this objection appeared upon the Face of the warrant of Commitment, and the Distinction had been frequently taken with respect to proceedings for contempt, even by the House of Commons in Great Britain; but even supposing the Jurisdiction of that House in Similar cases might be extended further, according to the Law and usage of Parliament, Your Majesty's said Attorney and Sollicitor General, were humbly of Opinion that this extraordinary power ought never to be suffered in these inferior Assemblys in

America, who must not be compared, either in power or privileges, to the Commons of Great Britain, and that it was observable that the Assembly themselves, had studiously avoided to declare the Libel to be a Contempt, or Breach of Priviledge, either in the Charge or sentence pronounced, notwithstanding that the Contempt to themselves, the then existing Assembly was the only legal, or colourable Ground upon which they could take cognizance of the matter, in order to punish the Offender.

"'And lastly, that they were of Opinion that it was a high and unwarrantable Invasion, both of your majesty's Royal perogative, and the Liberties of the Subject, to order the Sheriff not to Obey your majesty's Writ of Habeas Corpus, and that, as Mr. Smith was guilty of no offence against any Assembly then in being, and no Assembly had a right to proceed against him for a Contempt to any former Assembly; and as the Law had provided sufficient remedy in all cases of illegal and Arbitrary Commitments, It was their Opinion that the petitioner should be directed to seek redress (as he should be advised), in the proper Courts of Justice, in your majesty's province of Pennsylvania; and that your majesty, if it was your Royal pleasure, might graciously issue your Orders to the Governor of Pennsylvania, to take care that in all Cases, your majesty's Writ should issue free according to Law, and that all Officers of Justice and others, should be protected in the due Execution of them, and that no person or persons whatsoever, should presume to disobey the same.

"'The Lords of the Committee, this day taking the said Petition & Report, and the whole matter into their serious consideration, and agreeing in Opinion with your Majesty's Attorney and Sollicitor General, upon all the points above stated, do humbly Report to your Majesty that the House of Representatives of Pennsylvania appear to have assumed to themselves Powers which do not belong to them, and have been guilty of a high and unwarrantable Invasion, both of your Majesty's Royal prerogative and the Liberties of the subject, to the Oppression of the Petitioner, and which may be of Evil example in others, your Majesty's Plantations; and therefore, that all Proper and legal methods should be taken to assert your Majesty's Royal authority for the future, and that, in the mean time, your Majesty may be pleased to direct the Petitioner to seek redress (as shall be advised) in the proper Courts of Justice, in your Province of Pennsylvania; and also to issue the strictest orders and commands to the Governor of Pennsylvania, for the time being, to take the utmost care that in all Cases your Majesty's Writs should issue freely, according to Law; and that all Officers of Justice and others, should be protected in the due execution of them, and that no person or persons whatsoever should presume to disobey the same; and further, that the Governor of the said province, for the time being, be commanded to signyfy to the assembly there, your majesty's high displeasure

against all such unwarrantable proceedings and Oppression of the Subject, and be required to take the utmost Care; and to use all the means in His power to support and preserve the Laws & your majesty's prerogative against all Usurpations and Encroachments whatsoever by the assembly of that province, at all times and on all Occasions.'

"The Lords of his majesty's most honourable privy Council, this day took the said Report into Consideration, and were pleased to approve thereof, and do hereby, in his majesty's name, declare his high Displeasure at the unwarrantable Behaviour of the House of Representatives of Pennsylvania, in assuming to themselves powers which do not belong to them, and invading both his majesty's Royal Prerogative, and the Liberties of the subject; and their Lordships do, therefore, hereby order that the Governor, or Commander-in-Chief, for the time being, of the said Province of Pennsylvania, do forthwith signify the same to the said Assembly accordingly, and take the utmost care, and use all the means in his power to support the Laws and his majesty's prerogative against all Usurpations and encroachments whatsoever, by the Assembly of that province, at all times and upon all occasions; and that the Governor or Commander-in-Chief, for the time being, do likewise take care that, in all cases, his majesty's Writs do issue freely according to Law, and do protect all officers of Justice, and others, in the due Execution of them, and that no person or persons, whatsoever, do presume to disobey the same; and that, with Regard to the petitioner, their Lordships are hereby further pleased to direct that he do seek redress (as he shall be advised) in the proper Courts of Justice, in the province of Pennsylvania, whereof the Governor, or commander-in-Chief, of the said province of Pennsylvania, for the time being, and all others whom it may concern, are to take notice, and govern themselves accordingly.

"W. SHARPE."

And were laid before the Assembly with the following message:

A Message to the Governor from the Assembly.

"Gentlemen:

"Having been served by the Reverend Mr. William Smith, Doctor of Divinity, with an order made by his majesty's most Honourable privy Council, on the 26th of June last, upon the petition and Appeal of the said William Smith to his majesty, complaining of Certain Hardships, and Oppressions, alleged to have been suffered by him from the Assembly of this province, for the Year 1758; I herewith lay before you both the said original Order and the petition of the said Doctor Smith to me thereupon.

"And as I am therein commanded, in the King's name, forthwith to signify to you his majesty's high displeasure at the unwar-

rantable Behavior of the said Assembly, in assuming to themselves powers which did not belong to them, and invading both his majesty's Royal prerogative, and the Liberties of the people, I do in obedience to the order, hereby signify the same to you accordingly.

"JAMES HAMILTON.

"February 13th, 1760."

The following Message, in answer to the Governor's of the 12th of February, was delivered to him by two Members:

A Message from the Governor to the Assembly.

"May it Please your Honour:

"We have again, at your Instance, taken into our Consideration the subject of disbanding our Forces at our last meeting, and as nothing new is offered either in General Amherst's Letter, laid before us, or your Message, to induce us to alter our Opinion, we cannot help approving our former Resolution, which was founded on the practice of the other Colonies, on a principal of Humanity towards our Forces, who, during the space of Three Years and upward had not had the relief of Winter Quarters, but been confined without Intermission to hard Military Duties, and upon a conviction of the Incapacity of our Constituents to support the Expence of maintaining so large a number of men from Year to Year. But our reasons on this head are so fully set forth in our message to your Honour of the eighth of December, that we apprehend had General Amherst been acquainted with them, and reflected on the practice of the other Colonies, he could not, with propriety, have called that measure an 'hasty' one, which was taken in this province after many others of the Colonies had shewn the Example.

"What 'Distress,' this Measure can have brought on General Stanwix, we are at a loss to judge, as we presume had he Occasion of more men to the Westward, he would have drawn off from Lancaster the several Companies of Regulars now in Winter Quarters at that place.

"To Which your Honour will give us leave to add, that it cannot be reasonably expected we should, before we have the least intimation of his Majesty's intended operations for the Ensuing Campaign in these parts of his Dominions, or what aid he shall be graciously pleased to demand of this province, proceed in granting supplies or raising new Levies for purposes which we are not acquainted. Your Honour may be assured, whenever these are laid before us, of finding the same zeal and chearfulness in promoting, according to our Abilities, his Majesty's Service, and the good of the province, which have been so repeatedly manifested by this part of the Legislature during the Course of the present War.

"Signed, by order of the House,

"ISAAC NORRIS, *Speaker.*

"February 15th, 1760."

On the 21st of February the Governor sent to the House another Letter from General Amherst with a Message, which were both ordered to be entered.

A Letter to the Governor from His Excellency General Amherst.

NEW YORK, 14th of February, 1760.

"Sir:

"Yesterday Evening arrived the Earl of Leicester Packett, and by her I am honored with a Letter from Mr. Secretary Pitt, of the 1st of December last; and altho' he does not send me his Majesty's Commands for the Operations of the Ensuing Campaign, yet he directs me to make all the necessary Preparations for pushing the War with the utmost Vigour as early in the Year as the season will permit, and thereby compleat the great work so succesfully begun, of rendering his Majesty entire Master of Canada.

"In order, therefore, to enable me to fulfill these Instructions, I must renew to you my most earnest Sollicitations for your moving your Assembly to make immediate Provision for the same or a greater number, if possible, of Men than they did for the last Campaign; and to have them in such immediate readiness, that when I inform you of my intentions to take the field, which shall be as early as possible, I may be certain of the motion and Junction of all the Forces at the times and places which I shall hereafter acquaint you with, which I shall be able to do more particularly, upon the arrival of Colonel Amherst, whom I expect out soon with the King's Ulterior Commands for the ensuing Operations.

"I am, with Great regard, Sir,

"your most Obedient humble Servant,

"JEFF. AMHERST.

"the Honourable Governor HAMILTON."

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A Message from the Governor to the Assembly.

"Gentlemen:

"I now lay before you a second Letter from his Excellency General Amherst, upon the same subject with that which I communicated to you at the opening of the Session, Vizt.: The making a provision for a new Levy of men, on the part of this province, for the service of the ensuing Campaign.

"As I cannot think of any motive to induce you to a Compliance with the General's requisition, stronger than those I made use of in my message of the twelfth instant, allow me to refer you to that Message, and to the General's Letters upon the subject, in the last of which, the reason, that I may say necessity, of the proposed measure is set forth more authoritatively than it was in his power

to do before the receipt of his Letters from his Majesty's principal Secretary of State for this Department.

"You will, therefore, further allow me, Gentlemen, to recommend it to you to reconsider all that has passed upon this occasion, and the evident necessity there seems to be that all his Majestie's Colonies should, at this time, contribute liberally towards bringing to a happy Conclusion, the War hitherto so Successfully carried on; and then, I doubt not, but you will think it incumbent on you to make such a provision for the intended Operations, as shall be thought equal to their importance.

"JAMES HAMILTON.

"February 21st, 1760."

At a Council held at Philadelphia, Tuesday, 26th of February, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Robert Strettell, Richard Peters, } Esquires.
Thomas Cadwallader,

A Letter from the Right Honourable Mr. Secretary Pitt of the 7th of January last, together with General Amherst's Letters, inclosing the same, were read, considered, and laid before the Assembly, with the following Message, which had been prepared by the Governor:

A message from the Governor to the Assembly.

"Gentlemen:

"Since my message to you of the twenty-first instant, relative to a Levy of Men from this province, for the service of the ensuing Campaign, I have had the honour to receive from the Right Honourable Mr. Secretary Pitt, his Majestie's Commands to the following purpose, vizt: That I should forthwith use my utmost Endeavours and Influence with the Council and Assembly of this Province, to induce them to raise, with all possible Dispatch, within my Government, at least as Large a Body of men as they did for the last Campaign, and even as many more as the number of its Inhabitants may allow; and that forming the same into Regiments, as far as shall be found convenient, I should direct them to hold themselves in readiness, as early as may be, to march to the Rendezvous, at such place or places as may be named for that purpose, by the Commander-in-Chief of his majesty's Forces in America, or by the Officer who shall be appointed to command the King's Forces in those parts, in order to proceed from thence, in

Conjunction with a Body of his Majestie's British Forces, under the Supreme Command of the Officer to be appointed as above, So as to be in a Situation to begin by the first of May, if possible, or as soon after as shall be any way practicable, Such Offensive Operations as shall be judged, by the Commander of his majesty's Forces in those parts most expedient for annoying the Enemy.

"The King is pleased to furnish all the men, so raised as above, with Arms, Amunition, and Tents, as well as to order provisions to be issued to the same by his Majestie's Commissaries, in the same proportions & manner as is done to the rest of the King's Forces; that a sufficient Train of Artillery will be also provided at his Majestie's Expence, for the Operations of the Campaign; and that the whole that the King expects and requires from the several Provinces, is the Levying, Cloathing, and paying of the men. And on those Heads, also, that no encouragement may be wanting to the fullest Exertion of your Force, his Majesty is further most graciously pleased to permit that you be acquainted that strong recommendations will be made to Parliament, in their Sessions next Year, to grant a proper Compensation for such Expences as above, according as the active Vigour and Strenous efforts of the respective Provinces shall justly appear to merit.

"As I have, Gentlemen, ordered the whole of the Secretary of State's Letter (of which the above is an extract) to be laid before you, you will therein see, and cannot but be filled with Gratititude at the gracious and Affectionate manner in which his Majesty is pleased to take notice of his North American Subjects, and to mention his Expectations that they will continue most chearfully to cooperate with, and second, to the utmost, the large expences and extraordinary Succors supplied by Great Britain for their preservation and security. I do, therefore (as well in obedience to his Majesty's Commands as from a full Conviction of the expediency, and even necessity of the measure), think it my Duty to press you in the warmest manner to make provision, with all possible Dispatch, for raising as large a Body of men for the service of the ensuing Campaign, as you did for the last, and even of as many more as the number of our Inhabitants may allow, so that they may be assembled at the Rendezvous, hereafter to be appointed by General Amherst, by the tenth of April next, at furtherest, agreable to his Excellency's expectations signified to me in his Letter of the twenty-first instant, now likewise laid before you.

"I persuade myself, Gentlemen, I need not make use of many words to induce you to exert yourselves at this critical Juncture. His Majesty's Orders are arrived and laid before you. The occasion is weighty & pressing; and I cannot doubt of finding in you the same Zeal and Chearfulness in promoting the King's Service and the good of the province, which have been so often manifested by former Assemblies.

"JAMES HAMILTON.

"February 27th, 1760."

The Secretary of State's Letter to the Governor.

"WHITEHALL, January, 7th, 1760.

"Sir:

"His Majesty having nothing so much at Heart as to improve the great and important advantages gained the last Campaign, in North America, and not doubting that all his faithful and brave Subjects there will continue most chearfully to co-operate with and second, to the utmost, the large expence & extraordinary succors supplied by this Kingdom for their preservation and future Security: and His Majesty considering that the several provinces from Pennsylvania inclusive to the Southward, are well able, with proper Encouragements, to furnish a Body of several thousand men to join the King's Forces in those parts for some offensive Operations against the Enemy, and his Majesty not judging it expedient to Limit the Zeal and Ardor of any of his provinces, by making a Repatition of the Forces to be raised by each respectively, for this most important Service, I am commanded to signify to you the King's pleasure that you do forthwith use your utmost Endeavours and Influence with the Council and Assembly of your province, to induce them to raise with all possible Dispatch within your Government at least as large a Body of Men as they did for the last Campaign, and even as many more as the number of its Inhabitants may allow, and forming the same into Regiments as far as shall be found convenient; that you do direct them to hold themselves in readiness, as early as may be, to march to the Rendezvous at such place or places as may be named for that purpose by the Commander-in-Chief of his Majestie's Forces in America, or by the Officer who shall be appointed to command the King's Forces in those parts, in order to proceed from thence in Conjunction with a Body of his majesty's British Forces, and under the supreme Command of the Officer to be appointed as above, so as to be in a situation to begin by the first of May, if possible, or as soon after as shall be any way practicable, such offensive operations as shall be judged by the Commander of his Majesty's Forces in those parts, most expedient for annoying the Enemy; and the better to facilitate this important Service, the King is pleased to leave it to you to issue Commissions to such Gentlemen of your Province as you shall judge, from their Weight & Credit with the People, and their Zeal for the publick Service, may be best disposed and enabled to quicken and effectuate the speedy levying of the greatest number of men; In the Dispositions of which Commissions, I am persuaded, you will have nothing in View but the good of the King's Service, and a due Subordination of the whole, when joined to his majesty's Commander; and all officers of the provincial Forces, as high as Colonels inclusive, are to have rank according to their several respective Commissions, agreable to the regulations contained in his Majesty's Warrant of the 30th of December, 1757.

"The King is further pleased to furnish all the men, so raised as above, with Arms, Ammunition, and Tents, as well as to order provisions to be issued to the same by his Majestie's Commissaries, in the same proportion and manner as is done to the rest of the King's Forces; and a sufficient Train of Artillery will also be provided at his Majestie's expence, for the Operations of the Campaign. The whole, therefore, that the King expects and requires from the several Provinces, is, the levying, cloathing, and pay of the men; and on these heads also that no Encouragement may be wanting to the fullest exertion of your Force, his majesty is farther most graciously pleased to permit me to acquaint you that strong Recommendations will be made to Parliament, in their Session next Year, to grant a proper Compensation for such expences as above, according as the active Vigour and strenous efforts of the respective provinces shall justly appear to merit.

"It is his Majesty's pleasure that you do with particular Diligence, immediately collect and put into the best condition, all the arms issued last campaign, which can be anywise rendered serviceable, or that can be found within your Government, in order that the same may be employed as far as they will go in this Exigency. I am at the same time to acquaint you that a reasonable supply of Arms will be sent from England, to replace such as may have been lost or have become unfit for future service.

"I am further to inform you that similar Orders are sent by this Conveyance to Maryland, Virginia, North Carolina and South Carolina.

"The Northern Governments are also directed to raise men in the same manner, to be employed in such offensive Operations as the Circumstance and situation of the Enemy's possessions in those parts may point out, which, it is hoped, will oblige them so to divide their attention and Forces, as will render the several attempts more easy & Successful.

"It is unnecessary to add anything to animate your zeal in the Execution of his majesty's orders on this great Occasion, where the future safety and Welfare of America, and of your own province in particular, are so nearly concerned; and the King doubts not, from your known Fidelity & attachment, that you will employ yourself with the utmost Application & Dispatch in this promising and decisive Crisis.

"I am, Sir, Your most Obedient humble Servant,
"W. PITT."

A Letter to the Governor from His Excellency General Amherst.

"NEW YORK, 21st February, 1760.

"Sir:

"With his Majestie's Commands for the Reduction of all Canada, received last night, I likewise had the copy of Mr. Secretary Pitt's

circular Letter to the Northern and Southern Governors, of the seventh of January last, the original of which goes inclosed, and whereby you will see that his Majesty having nothing so much at heart as to improve the great and important advantages gained the last Campaign in North America, and not doubting that all his faithfull and brave subjects there will continue most chearfully to co-operate with and second to the utmost the large expence and extraordinary succors supplied by the Kingdom of Great Britain for their preservation and future security; and his Majesty considering that the several Provinces, from Pennsylvania inclusive to the Southward, are well able, with proper Encouragement to furnish a body of several Thousand men to join the King's forces in those parts for some offensive operations against the Enemy, and his majesty not judging it expedient to limit the zeal and ardour of any of his provinces by making a repartition of the Forces to be raised by each, respectively, for this most important Service, he (Mr. Seretary Pitt), is commanded to signify to you the King's pleasure, that you do forthwith use your utmost endeavors & influence with the Council and Assembly of your province, to induce them to raise, with all possible dispatch, within your Government, at least as large a Body of men as they did for the last Campaign, and even as many more as the number of its Inhabitants may allow, and forming the same into Regiments, as far as shall be found convenient; that you direct them to hold themselves in readiness, as early as may be, to march to the Rendezvous, at such place or places as may be named for that purpose by the Commander-in-Chief of his Majestie's Forces in america, or by the Officer who shall be appointed the King's Forces in those parts, in order to proceed from thence, in Conjunction with a body of his Majesty's British Forces, and under the supream Command of the Officer to be appointed as above, so as to be in a Situation to begin by the first of May, if possible, or as soon after, as shall be any way practicable, such offensive Operations as shall be judged by the Commander of his Majestie's Forces in those parts, most expedient for annoying the Enemy.

"As the King's directions on the foregoing subject are so fully stated in the above abstract, I have only to request that you will exert your utmost Endeavours to incite and encourage you Assembly to the full and due execution of the King's Commands, in a matter so essential to the future Welfare and prosperity of the several Provinces, and the success of the ensuing decisive, and (it is greatly hoped) last Campaign in North America; which desirable ends cannot be better attained than by commencing the Operations as early as shall be practicable; and that nothing may be left undone, that is possible for me to attempt, in the execution of his majesty's Commands, I must be urgent with you to quicken and expedite the Levies of your province, so that they may be assembled at the Rendezvous, which I shall hereafter appoint, by the tenth of April next, at furtherest.

"I have also in command from his Majesty, to recommend to you the collecting, and putting into a proper Condition, all the arms that can be any wise rendered serviceable, or that can be found within your Government, in order that the same may be employed, as far as they will go in this exigency; as a further reason for which, I refer you to my Letter of the sixteenth of February, 1759, and now offer you the same Encouragement I did then, vizt: that for every one of such arms as any of your Men shall bring with them, and that may be spoiled or lost in actual service, I will pay at the rate of Twenty-five Shillings a Fire lock.

"From this encouragement, and your known Fidelity and attachment to his Majesty, I have no Doubt of your exerting yourself to the utmost on this great Occasion, where the future Safety and Welfare of America, and of your own province in particular, are so nearly concerned.

"I am, with great Regard, Sir,

"Your most Obedient Humble Servant,

"JEFF. AMHERST.

"P. S. The Albany Sloop-of-War, which brought the inclosed Dispatches, will Sail again for England in Ten days."

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A second Letter to the Governor from His Excellency, General Amherst.

"New York, February 21st, 1760.

"Sir:

"Just after I had closed my circular Letter, of this Date, to the several Governors of his Majestie's provinces and Colonies on this Continent, of which you will herewith receive one, I was favoured with your's of the sixteenth instant, covering your Message to the Assembly, in consequence of my request of the thirty-first of January, and their answer thereto, whereby I see that they intirely decline entering upon the Consideration of a new Levy, until the amount of the aids demanded by the King, as well as the purpose for which they are intended, shall be laid before them, in which case they promise a continuance of the same Zeal for promoting his Majesty's service, which they have so repeatedly manifested in the Course of the War.

"As I have the satisfaction to accompany this with Dispatches, which must fully answer those ends, I rely on their promise, and trust they will raise, for the services of the ensuing Campaign, at least as many, if not more, men than they did for the last.

"I am, with great regard, Sir,

"Your most Obedient humble Servant,

"JEFF. AMHERST."

A Bill entituled "An Act more effectually to prevent the exportation of Bread not merchantable," presented to the Governor for his Concurrence, was read, considered, and the following Amendments made thereto:

Amendments to a Bill entituled "An Act more effectually to prevent the Exportation of Bread not Merchantable."

"Page 23d. Line 8, Dele the words [Assembly appoints] and say [Governor and Assembly shall appoint].

"Page 31. Line 5, After the word *the*, say *Governor and.*

At the close of the Bill, insert the following Clause:

"[*And be it further enacted by the authority aforesaid*, that this Act shall continue in force for the Term of Six Years and no longer.]

"26th February, 1760."

The Bill was returned to the Governor, with a Message that the House adhered to their Bill.

The Governor returned the Bill with the following paper to the Assembly.

[Paper omitted in Minute Book.]

The Governor informed the Council that on the 21st Instant, he had received a Letter from justice West, of Carlisle, acquainting him of a most cruel murder having been committed on an Indian called Doctor John and a little Boy of his, and that there was reason to think his Wife was also murdered; and Captain Calender coming to Town from Carlisle, his Honour had examined him, and by him was told that an inquest had been taken by the Coroner on the Bodies of said Doctor John & a male Child, two Delaware Indians in friendship with us, and that it was the Opinion and verdict of the Jury that they were willfully murdered by some persons unknown; And it was further said by Captain Calender, that there was reason to believe Doctor John's Wife and her child were also murdered, whereupon the Governor sent a verbale Message to the House informing them of this matter, & recommending it to them to join with him in offering a reward for the detecting and apprehending the murderers, and immediately after the Message was delivered, the Speaker told the Secretary that a Message had been just sent by the House to the Governor to the same purport, and that a proclamation had issued under the Great Seal, offering a reward of an hundred pounds for such discovery, which follows hereafter.

A letter was dispatched to Frederick Post, desiring him forthwith to make Teedyuscung and the Indians at Wyomink acquainted with these murders and the issuing of this proclamation, and to assure him that no pains should be spared to discover and punish the authors, and not to omit any Ceremonies it were proper & usual on this Occasion.

"*By the Honourable JAMES HAMILTON, Esquire, Lieutenant Governor & Commander-in-Chief of the Province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, on Delaware,*

"A PROCLAMATION.

"WHEREAS, information has been given to me that an Indian man and an Indian Boy were lately found murdered within a few mile of the Town of Carlisle, in the County of Cumberland, by persons unknown, and an Indian Women and Child of the same Family were missing and supposed to be killed; *And Whereas*, such horrid practices may, in the present critical situation of Affairs with the Indian Nations, be attended with the most grievous Consequences to the Inhabitants, by renewing all the dismal Calamities of an Indian War, I have therefore thought fit to issue This, my Proclamation, hereby strictly requiring and enjoining all Judges, Justices, Sheriffs, Officers Civil and Military, and all other his Majesty's Liege Subjects within this province, to make diligent search and enquiry after the Authors, perpetrators, Abettors and Accomplices of the said Murders; and, for their Encouragement, I do hereby offer and promise the reward of One hundred pounds for each and every person who shall be discovered, apprehended and convicted of the aforesaid murders, or of being in any wise aiding, assisting or abetting the same; *And Whereas*, it is of the utmost consequence that a good understanding and friendly intercourse should be cultivated and preserved, and the Treaties of peace and Friendship lately concluded between his majesty's subjects and the several Indian Nations be inviolably observed, I do hereby further strictly enjoin and require all his Majesty's subjects within this Government to avoid all Quarrels and Contentions with any Indians who either do reside or are passing thro' this province, and earnestly recommend it as a measure highly conducive to the safety and peace thereof, to treat all the Indians with Civility and Brotherly Kindness.

"Given under my Hand & the Great Seal of the said province at Philadelphia, this twenty-first day of February, in the Thirty-third year of his Majestie's Reign, & in the Year of our Lord one thousand seven hundred and sixty.

"JAMES HAMILTON.

"N. B. One hundred pounds makes two hundred & sixty-seven dollars."

The Secretary informed the Governor that he and Mr. Hockley, as Proprietary Agents, had been at Carlisle, attending the Commissioners of the County of Cumberland on an Appeal from the Assessment of the proprietary Estate in that County, which they looked upon to be illegal and exorbitant, and desired Leave to re-

port the same to the Governor, in order to be laid before the Assembly; and further informed the Governor, that in their return home, having heard at Lancaster that the Conestogo Indians were not well taken care of, and had expressed a good deal of uneasiness at the neglect of them, they paid them a visit to enquire after their health, which was returned very kindly by those Indians; and at their request they held a Conference with them, which was committed to writing, and was read in these words:

"At a Conference with the Conestogo Indians at Lancaster, the 15th day of February, 1760.

"PRESENT:

"Richard Peters, and "Richard Hockley, } Esquires.

"Sewees, Billy, Sack, John, 5 young Boys.

"Peggy, Interpreter.

"Sewees, by a string of Wampum, did let us know that he was extreamly well pleased with our visit to him; and our enquiry after his Health, and that we took notice of the Women and Children. He returns his thanks to us for this, and likewise for desiring to know if he or his people were in want of anything.

"He then told us that he was old and unable to get his Livelyhood; that his Young men had not so much as a bit of Powder or Lead to shoot a Bird with.

"John Ross, when alive, promised him a supply of necessaries, but he has received nothing since his Death, and desires we will let the Governor know this.

"A String.

"'Canrach Caghera:

"'I am very glad of the Opportunity of seeing you here; I have long wished to have seen somebody at Lancaster that I could speak with; old William Penn had a particular regard for the Conestogo Indians; he loved, indeed, all the Indians, but there was a singular love between him and the people who came with him, and the Conestogo Indians. We are now but a few, and I am grown old. I give you this Belt, and desire you will hold fast your old Love & continue to be as kind as ever; Deliver it to the Governor, & tell him we have ever held fast our Friendship with William penn's people, and desire he will do the same; I speak for my young men, and all the Women and Children, whom I put under his protection.

"'You may, perhaps, think I will go away, but I tell you I will always stay at Conestogo, and these that are with me will stay too. You must be my mouth to the Governor, and acquaint him with our intention, and that we hope he will be as kind to us as Wm. Penn, and all the Governors to this time.'"

N. B. This was communicated by the Governor to the Provincial Commissioners, & two persons were appointed to supply them with necessaries.

The Indian Agents at Fort Augusta having acquainted the Governor that John Chickasalary was there, and desired to speak with Conrad Weiser, the Secretary had been desired to write to Mr. Weiser to take the trouble of a Journey to Shamokin, and had received his answer, that he was too much indisposed to go himself, but would send his Son Sammy, if it was agreeable to the Governor, and accordingly Samuel Weiser was ordered to go to hear what John Chickasalary had to say."

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"On the 27th February, two Members delivered to the Governor a message from the House, acquainting him that they had resolved to raise Two thousand Seven hundred effective men for the service of the ensuing Campaign, and requested he would be pleased to furnish the House with the amount of arrears due to the Provincial Forces, and an Estimate of the Current Year's expences from the beginning of January last; and accordingly, on the 29th, the following estimates were laid before the house:

Estimate of arrears due to the Pennsylvania forces:

The Province of Pennsylvania,	Dr.
To Certificates of arrearages of Pay given by the paymaster, to Officers and Soldiers, bearing Six per Cent. Interest, vizt:	
Officers Certificates, from No. 1 to No. 152, inclusive	£10,396 13 2
Soldier's Certificates, from No. 1 to No. 1760	10,106 0 0
Arrears of pay due to Sundry Officers and Soldiers, not yet settled with the paymaster, for about	1,500 0 0
	£22,002 13 2

By order of the Governor,
JAMES YOUNG, *Paymaster.*
Philadelphia, 28 February, 1760.

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Estimate of the expence of raising Two thousand seven hundred Men, and paying the same for nine Months:

Bounty Money for 2544 men at Six pounds per man, as given last year	£1,526 0 0
Officers' premium at twenty shillings per man, for recruiting Expences	2,544 0 0

Subsistence Money at one Shilling ℔ day till they come to the General Rendezvous and receive the King's provisions, Forty-five shillings per man,					5,724	0 0
Total of recruiting Expences - -				£	23,532	0 0
The monthly-pay of the whole, viz':						
3 Colonels, at 24 shillings per day each for thirty days - - -	£	108	0 0			
3 Lietenant Colonels at seventeen shillings per day - - -		76	10 0			
3 Majors at Fifteen Shillings per day,		67	10 0			
39 Captains at ten Shillings per day,		585	0 0			
48 Lieutenants at five Shillings & six pence p' day - - -		396	0 0			
48 Ensigns at four shillings ℔ Day,		288	0 0			
3 Chaplins at Six shillings and eight pence p' Day - - -		30	0 0			
3 Adjutants at four Shillings per day,		18	0 0			
3 Quarter-Masters at four Shillings per day - - - - - -		18	0 0			
3 Surgeons at Seven Shillings & six pence per day - - -		35	15 0			
96 Serjeants at two Shillings per day,		288	0 0			
96 Corporals at one Shilling & Eight pence per day - - -		244	0 0			
48 Drummers at one Shilling & eight pence per day - - -		120	0 0			
2304 Private Soldiers at one shilling & six pence per day - -		5,184	0 0			
2700 Total pay for one Month,				£	7,452	0 0
Total pay for nine Months - -					67,074	0 0
Officers' Baggage and Forage money, as allowed last Campaign - -					1,122	0 0
Total, - - - - - -				£	91,728	0 0

By order of the Governor,
JAMES YOUNG, *Paymaster.*

Philadelphia, Feb. 28th, 1760.

At a Council held at Philadelphia, on Tuesday the 18th March, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Robert Strettell, Benjamin Shoemaker, Richard Peters, Lynford Lardner, Thomas Cadwalader, } Esquires.

The Minutes of the preceding Council were read and approved.

On the eighth of this instant a Bill intituled "an Act for granting to his Majesty the sum of one hundred thousand pounds, and for striking the same in Bills of Credit in the manner hereinafter directed, and for providing a Fund for sinking the said Bills of Credit by a Tax on all Estates, real and personal, and Taxable within this province," was presented to the Governor; and the members who delivered it, in conversation, acquainted him that the House was adjourned to the seventeenth instant in order to give his Honour time enough to consider the Bill.

The Governor acquainted the Council that as on perusing the Bill he found it was framed on the same plan with the last supply Bill passed by Governor Denny, against which the proprietaries had presented a petition to the King in Council; he had looked it carefully over, and had made several Amendments to it, which he prepared to their Consideration, and after the Bill was read carefully over, paragraph by paragraph, the following Amendments were agreed to, and sent to the House with the Bill:

"*Amendments to the Bill intituled 'An Act for granting to his Majesty the sum of hundred Thousand pounds, &ca., &ca.:*

"1st Amendment.

"Page 4, 5. Dele from the word [that] in the 11th Line of the 4th page to the word [and] exclusive in the 10th Line of the 5th page, and instead thereof insert as follows, to wit, [the sum of eighteen pence in the pound shall be levied on the clear yearly value of the Estates, real and personal, within this province of all and every person and persons (the Estates of the proprietaries not excepted), that is to say on the clear yearly Rents of all such Lands as are leased or set to farm, and on the clear annual Income and profits of all such improved Lands as are in the Cultivation and possession of the owners thereof, and on the interest of the whole personal Estate of every person in this province, to be estimated and computed by the Assessors according to their best Information and Judgment therein: *and Whereas*, many valuable Tracts of Land in this province and Lots of Ground within the City of Philadelphia, and the several Towns and Boroughs within the said pro-

vince remain altogether unimproved, and in other Tracts of Land that are settled and have plantations on them, there are, nevertheless, adjoining to such Settlements and plantations, great quantities of Rough unimproved Land which ought to be charged with a proportionable and reasonable Share of the heavy Taxes laid on the Inhabitants: *Be it therefore enacted by the Authority aforesaid*, That all such unimproved Tracts of Land and unimproved parts and parcels of Land and Lots of Ground, shall be valued and estimated by the respective Assessors at the price and sum of Money, they, in their Consciences, shall judge them to be worth, due regard being had to their Situation & Quality, and the sum of one Shilling and six pence in the pound shall be levied Yearly on the interest of the value of such unimproved Tracts and parts or parcels of Land and Lotts of Ground and not otherwise, anything in any former Act of Assembly of this province contained to the contrary notwithstanding].

"2nd Amendm^t. Page 22. After the word [accordingly] in the eighth Line, insert as follows, to wit: [and another Transcript or Duplicate thereof shall be delivered by the said Commissioners to the Governor and Commander-in-Chief of this province for the time being].

"Page 22, 23. Dele from the Word [and] in the ninth Line of the 22nd page to the word [notwithstanding] inclusive in the fourth Line of the 23d page, the first Amendments including this paragraph.

"Page 29th, Line 12th. After the word [stock] insert as follows, to wit, [*And Whereas*, the Commissioners and Assessors, who by this Act and one other Act of Assembly of this province, passed in the 32nd year of his present majestie's reign, entituled 'An Act for granting to his majesty the Sum of £100,000, &c^a.,' are impowered and required and directed to rate and assess the real and personal Estate of the Honourable Thomas Penn and Richard Penn, Esq^rs., Proprietors of this province, are to be elected by the Freeholders and others qualified to elect members of Assembly in the several Counties within this province, in which said Election the said proprietors have no share, it is therefore thought Just and reasonable that Commissioners should be specially nominated and appointed in each County within this province to whom the said Proprietaries may appeal in case they may conceive themselves aggrieved by any such rate or Assessment; Wherefore we pray that it may be enacted: *And be it enacted by the Authority aforesaid*, That for the County of Philadelphia, for the County of Chester, for the County of Bucks, for the County of Lancaster, for the County of York, for the County of Cumberland, for the County of Berks, and for the County of Northampton, shall be and are hereby appointed Commissioners of appeals in the said respective Counties, finally,

equitably, and impartially to hear, settle and determine the rates and assessments of the estates of the said proprietaries, in all Cases wherein Appeals shall be made to them for that purpose by the said proprietors, their Agents, Attorneys or Solicitors; But before the Commissioners shall hear any such Appeals, they shall severally take an Oath or Affirmation before any Justice of the peace of the County for which they are respectively appointed, who is hereby impowered and required to administer the same, to the following effect, vizt : You shall well and truly, to the best of your skill and Judgement, settle, adjust, and determine the rates and Assessments of any part of the Proprietaries' Estate, whether real or personal, that shall be brought before you, as Commissioners of Appeals, without Fear, Love, Favour, Affection, Hatred, Ill will, or the hope of reward. And the said Commissioners of Appeal in each County, or a Majority of them, shall and are hereby required within the term of after the assessments shall be made by the Assessors, to fix a time and place of meeting to hear such Appeals, of which they shall give publick notice in the Pennsylvania Gazettee; and the said Assessors are hereby required to attend the said Commissioners and then and there lay before them the written Certificates of all the Estate, real and personal, of the said Proprietors, or either of them, in their respective County, together with the rates & Assessments made thereon; whereupon, the said Commissioners, or a majority of them, after a strict Examination of the same, and the best information they can procure or obtain therein, Shall, and are hereby authorized, impowered, and directed to diminish or add to the said assessments or rates made of any part of the Estate of the said proprietors, as to them shall seem just and agreeable to Equity and good Conscience, according to the true intent and meaning of this Act; and alter, adjust and rectify the same in the Certificates or Books of the said Assessors accordingly; whereupon the said Rates and Assessments shall be levied in the manner herein before directed, and not otherwise, anything in this or any other act of Assembly of this province to the Contrary in anywise notwithstanding: *And be it further enacted*, that the said Commissioners of Appeals shall have & receive for their care & trouble, the sum of per Diem and no more, and for the expence of advertising the day and place of Appeal, the Sum of and no more].

"Page 40, Line 9. After the word [Being] insert the words [and not otherwise].

"Page 41, Line 9. After the word [orders] insert [with the approbation of the Governor and Cammander-in-Chief of this province, for the time being, signified by his countersigning such orders].

"Page 44, Line 5. Dele the word [certify] and instead thereof, insert the words [by their Certificate in writing].

"Same page, Line 6. After the word [them] insert the words [countersigned by the Governor and Commander-in-Chief of this province, for the time being].

"Same page, antepenult Line. After the word [Draughts] insert [to be also countersigned by the Governor and Commander-in-Chief of this province, for the time being]."

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19th March, 1760.

The Secretary acquainted the Governor that he had waited yesterday & to day for the meeting of a Quorum of the Assembly, in order to deliver the Bill for granting to his majesty the sum of One Hundred Thousand Pounds with the amendments agreed to at the last council, but was informed that the Speaker was indisposed, & the same day two members of the House waited on the Governor, & informed him that a Quorum of the members were met, but the speaker being prevented by indisposition from coming, they were inclined, if his Honour should think no Inconvenience could arise to the Publick from it, to adjourn to Munday, the 31st Instant, to which the Governor made answer that he would not chuse to incur any censure from a delay of publick Business by agreeing to so long an adjournment, but that he would concur with the members, if they thought proper to adjourn themselves to munday next, the 24th Instant.

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March 25th, 1760.

The Secretary deliver'd to the House the bill for granting to his Majesty the sum of One Hundred Thousand Pounds, &c[a] with paper of amendments, as agreed to on the 18th Instant.

At a Council held at Philadelphia, Saturday the 29th March, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

William Logan, Richard Peters, } Esquires.
Lynford Lardner, Benjamin Chew, }

Indians present:

Teedyuscung, the Delaware Chief,
Moses Tattamy.
Frederick Post, } Interpreters.
Moses Tattamy, }

The Governor informed the Council that Teedyuscung was in Town, and by Fred'k Post, his interpreter, had acquainted him he

had a Great many things to say to the Governor of a publick nature, & desired the assembly might be present when he spoke; whereupon the Governor having been told before hand the substance of what he had to say, sent the secretary with a verbal message to the House informing them of this, and desiring their attendance, with the speaker, in the Council chamber, who accordingly came, &, on their taking their seats, Teedyuscung spoke as follows:

"Brother:

"I received a Message from you by Frederick Post, who took me by the Hand and brought me here, and I am now standing ready before the Governor to confer within on the subject of his Message."

"Brother:

"I always desire that when I speak I may be well understood, and if in the delivery of what I speak I should, thro' my want of proper expression, commit any mistake, I desire it may be taken notice of, and forthwith set right, that no harm may accrue thereby to our children and Grand children."

A String.

"Brother:

"I request of you and all present to give serious attention to what I am going to say.

"You know that our hands are fast joined together, and we are entered into close Alliance and Friendship with each other, and that we have agreed if any accident should happen which might tend to a breach of our Union, we should use our speediest and best endeavours to prevent it.

"Brother:

"Since we saw one another last, something has happened whereby our union is struck and wounded. There lye some dead bodies between us, uncovered on the ground, which fill our hearts with Grief and our Eyes with Tears, so that we can neither see nor speak to one another until they be put out of our sight.

"Brother:

"I am poor and you are able, but poor as I am I will nevertheless put forth all my strength to cover these dead Bodies, that no mischief may arise from their lying too long uncovered. In this I call upon you to help me, as you are more able than I am. Let us, I say, both join heartily and speedily to cover these dead Bodies, that neither the Neighbouring Indians nor those who live at a distance may take offence at them, but be satisfied that we have done right, and everything that such an occasion requires."

A String.

Then, after some pause, taking a string of Wampum, he proceeded saying:

"Brother:

"I received this string from Atsuntsing, with a message from the Indians residing there, acquainting me that they and all the other

Indians on the river Sasquuhannah are determined to observe what their Brethren, the English, requested of them, and desired I would assure you of their Friendship towards you, and that they would be watchful and take a special care that no more mischief be done, nor more Horses carried off."

A String.

Then taking another String of Wampum, he spoke further:

"Brother:

"I received this string from the Mohiccon and Oping Indians, with a message to desire I would let their Brethren, the English, know that they had heard of the peace which you and I had made together, and were heartily glad to hear of it, and would do their best to promote the good work & join with me in everything that I should agree upon with our Brethren, the English."

A String.

"Brother:

"When I speak to my Brethren, I speak from my heart, & with sincerity, and whilst I do so, the Great God who made us will bless me; I expect you will act the same part by me, & then the Great God will bless you likewise. Whoever of us should act a part contrary to this, will certainly be discovered, and looked upon as the Author of the Breach, and answerable for all the evils that it will occasion. Let us, therefore, on both sides take care to be very sincere to each other, that the Great God may bless both of us, and what we do may be well established, and prove very lasting."

A String.

Then taking out a Belt of nine rows of Wampum, which was about Two feet long, on which a Road was described as passing thro' twelve Towns, he spoke further:

"Brother:

"I received this Belt from all the Warriors and young Men who live on the Sasquehannah River, with a message, pressing me to be Strong, and telling me they would reach out their hands and lift me on my legs, to help me along, and that they were sitting & waiting for me, and desired I would be with them in Six Weeks, and they would collect themselves together from all their Towns, and meet at atsunsing, and there hold a Council before my going to the great Council over the River Ohio. These Young Warriors further desired me to let all the Indians know wherever I come, that they were determined to sit still and strictly observe the peace and Friendship entered into with the English, and would do no more mischief, and they desired of all the Indians in the several places through which I should pass, that they would act the same part. Now, Brother, I desire that since these Warriors have promised to

help me on, you would likewise do the same, and be strong, and make me able to perform this great Journey.

"Brother:

"I desire Frederick Post may not go single, but that I may take another white man with me, as well as he, and then, if any thing happens to him, the other, who will be acquainted with every part of our Business, may assist me to carry it on. If you will deliver these to me I will put them in my Bosom; I will cover them from all harm, and see them safe returned. I have, also, desired moses Tattamy may be one of these Indians who are to accompany me.

"Brother:

"There are two or three old men here who are to accompany me; as they are not able to travell on foot such a great way, I expect you will provide them and me with Horses and other necessaries; and as I shall have a great [many] messages to send, and a great many speeches to make, I expect you will provide me with a sufficient quantity of Wampum."

Some black Strouds, Handkerchiefs, and Stockings, having been provided, the Governor ordered them to be spread upon the floor, and then spoke as follows:

"Brother Teedyuscung:

"I mean to answer only that part of your speech which relates to the dead Bodies; the rest will be answered at another time.

"Brother:

"It pleases me that you have taken the trouble to come down so quickly, and join your endeavors with mine in Clearing the ground from the Blood, and burying the Bones in utter Oblivion.

"As soon as we were made acquainted with what had happened, we took all the pains in our power to find out the authors; The Assembly joined with me in offering a very large Reward; the proclamation sent you was instantly published & dispersed in every part of the province, & the Sheriffs & magistrates were every where industrous to find it out. Hitherto we have not been able to make a discovery; but you may be assured that we shall continue to use our utmost endeavors, & if the authors are detected & found Guilty, they shall suffer death in the Same manner as if they had killed one of our own people.

"Brother:

"According to your advice I am now going on the part of this Government, and all his majestie's Subjects, to join with you in removing these and all other dead Bodies that lye on the Earth between us uncovered, out of our sight. I put my hand to yours and bury them all deep in the Ground, that it should not be in any one's power to dig them up again and expose them to view. In confirmation whereof, I give you this String.

"Brother:

"I wipe the Tears from your Eyes and remove all Grief from your heart, and enable you to speak again. Let us now think no more of what has passed. Let it be buried in Oblivion forever."

A String.

"Brother:

"I desire you will repeat what I have now said to the Indians present, Some of whom, I understand, you intend to take with you, that they may be well informed of all these particulars, and I desire that both you and they will be careful to make them known in all places wherever you come, especially at the great Council where you are going to attend at their pressing invitation."

Teedyuscung turned himself to the Indians, & with a very particular warmth, repeated all that had passed, & desired them to take notice of it & to be witnesses at the ensuing council of the care taken by the Governor & him to bury the dead Bodies, and of what his Honour had mentioned with respect to the pains taken & the rewards offered for the discovery of the murderers.

At a Council held at Philadelphia, on Thursday, the third April, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

William Logan, Richard Peters, } Esquires.

Joseph Fox, Jno. Hughes, } Provincial Commissioners.

Teedyuscung & the Indians.

Moses Tattamy, Frederick Post, } Interpreters.

The Governor having sent to the Assembly the draught of his answer he proposed to make to Teedyuscung, and a Present of Goods having been provided by the Provincial Commissioners, he ordered the Interpreters to acquaint Teedyuscung that he was going to give him an answer to the remainder of his speeches delivered on Saturday, and then spoke as follows:

"Brother:

"I am glad to hear of the good dispositions of the Indians at Atsunsing and in all other Towns on the Sasquehannah, & especially with the determination of the young Warriors to observe the peace.

"Brother:

"You are extreamly well acquainted with the particulars of all the Transactions that have passed as well as of all the Treaties that have been held between us, and as you are our agent and Councellor, by this Belt I enable you to speak for us on all Occasions, make known our good disposition and love towards all the Indians wherever you go; Hide nothing from them; spread the knowledge of what We have been doing far & wide, and dispose them, as you shall have an opportunity of conversing with them, to enter into the peace, and join heartily with us to settle every thing on the most lasting foundation."

A String.

"Brother:

"I am very Sensible that the Business you are engaged in is of the greatest importance, and in transacting it you will be obliged to make many Speeches, and to send many Messages to different Indian Towns, which can't be done without a great Quantity of Wampum. I have, therefore, put into your Council Bag, as much Wampum as we hope will enable you to discharge every part of your duty."

Here gave the Wampum.

"Brother:

"Your requesting another person to accompany you, besides Mr. Post, convinces me that you have the business you are engaged in, much at heart. I heartily concur with you in this measure, and shall appoint another, who shall be agreeable to you both; and as the journey will be long, I have, as you requested, provided you with Horses, and all necessaries for the Journey, of which the Provincial commissioners have my Orders to deliver you.

"Brother:

"I put Mr. Post, and the other Assistant, into your care & protection; Take them with you wherever you go, to bring them safe back again, and I hope you will consult with Mr. Post on all occasions, and make him fully acquainted with every thing that shall pass."

A String.

"Brother:

"There is one point I think incumbent on me to mention particularly to you, and to insist in behalf of all his majestie's Subjects within this province, that you spare no pains to see it speedily and effectually complyed with.

"You cannot but remember it was solemnly stipulated by you in all our Treaties, that our Flesh and Blood who have been carried into Captivity, should be very carefully collected and delivered to us. We are sensible of the kind part you have taken in this affair,

and thank you for it; But we are obliged, with Grief, to take notice that the prisoners brought to us are very few, in comparison with the Great numbers who remain still in captivity. By this Belt, therefore, we earnestly desire of you to make this known to all Indians wherever you shall go, and to use your endeavors that all the English prisoners be collected and delivered to us, otherwise We cannot think the professions made to us of peace and Friendship can be sincere."

A Belt.

Teedyuscung returned the Governor thanks for his kind speeches, acknowledged his Satisfaction at the great trust that was reposed in him, and promised that he would do everything that should be in his power, and prayed almighty God to assist him; he added that if he returned safe home he would continue to do everything he could for the service of his Brethren.

The Governor thanked Teedyuscung, and at taking his leave he said to the Governor:

"Brother:

"You have really covered the dead. I will make it known wherever I go. I will do with all the nations I shall see as you have done with me, and send you their Approbation and hearty concurrence with you and me in this Affair."

The Secretary having prepared the draught of a set of Instructions to Mr. Frederick Post, the same were read and settled, and are as follows:

"*Instructions to Mr. Frederick Post, assigned at Teedyuscung's request to accompany and assist him in his Journey to a Great council of Indians proposed to be held at some principal Indian Town over the Ohio.*

"You are to take all the care in your power, that Teedyuscung sets out time enough to be present at the opening of the Council, and that he takes with him the Wampum given him to use on this Occasion, and if more be wanting and can be purchased, you have liberty to supply him out of the money you will receive from the Provincial Commissioners, or if that cannot be spared, you may assure such as will part with Wampum, it shall be replaced or paid for by me.

"Copies of all the Treaties and Conferences with Teedyuscung, and other Indians, down to this time, are made out, and will be delivered you together with these Instructions, that you may be able to remind Teedyuscung of every material thing that has been transacted, and I expect you will pay a particular attention to this important part of your service.

"I approve of the detail of Affairs made by you in your last Journey over the Ohio, and would have the same again distinctly

repeated at this great Council, together with what has been done since, for the benefit of such distant Indians as may never have the like opportunities of hearing a true relation of these matters.

"You are to observe and perform all the ceremonies expected by and in use among Indians, from persons when they spake on publick matters, and enforce all your speeches with proper Belts or Strings of Wampum.

"You are to assure the Indians of our sincere disposition towards peace, and that we shall do our utmost Endeavors not only to renew and strengthen our friendship and Alliances, but to settle everything to their Satisfaction that is likely to occasion differences, and shall observe and promote such a friendly, affectionate and brotherly Confidence as will preserve a mutual and lasting Esteem and Regard for each other.

"You are to acquaint the Indians in the name of the General and Commander-in-Chief of all his majestie's forces in North America, that, according to the request of the Indians in their message by Pisquitomeng, which was received during the last treaty at Easton, His Majesty King George has been truly informed of all The transactions between the Indians & his majesty's subjects, and our Gracious King, as a tender Father over all his children, was much pleased to hear of your good disposition, & has given orders to his Generals & Governors, that agreeable to your request, there should be a General Peace established between the Indians and his subjects in every colony on a Good and firm foundation, and they Will all endeavour with zeal to promote this good work.

"You are further, in the General's name, to relate what passed in the Conferences between the Generals, the Governors of this and the neighbouring provinces and the Indians' Deputies from Caghnawago, in April, 1759, agreeable to the minutes of which you have a Copy, and assure the Indians that His excelency will faithfully perform what he then promised, and expects the same from them; you are, if you arrive safe at the Council, to express high satisfaction in finding the road from this province to their Towns perfectly safe and easy to be travelled in, and you are to take care in the strongest manner to assure the Indians that the road from their Country to this City is entirely open and safe for them to travel in, as they have been repeatedly invited by this Government in conjunction with Teedyuscung, to come to this City, where the Old Council Fire was first kindled, and Till of late was constantly burning, you will learn what their intentions are, and, if necessary, you will advise Teedyuscung to invite them once more in our joint names to come to to this Council Fire, and if they agree to it, then you will proceed to fix the number of Deputies and the time of their coming, that we may lay in sufficient Provisions and be prepared to receive them.

"You are sensible, as Indians cannot be kept from drink, it would be both troublesome and dangerous to their health to have

great numbers come down to the Treaty, it is to be wished therefore, and you are to endeavour to bring it about, that a certain respectable number of their principal Men as well as Warriors as Members of their Councils may be deputed to appear and act for the whole Body, and that all such Indians as apprehend themselves injured in their Lands or any ways concerned in the Complaints made at Easton, may come down with the Deputies, and furnished with full powers for that purpose.

"This is a tender point, and will require Skill & Prudence; but for the above, and many other reasons that will occur to you, it should be pressed as far as you can venture to do it.

"The Indian chiefs have often heretofore, and Teedyuscung at his last Conference, earnestly desired that a Stop might be put to the sending such excessive Quantitys of Rum Into the Indian Country, and that at Treaties especially particular care might be taken to prevent Indians getting it.

"You will occasionally acquaint the Indians, if this matter be mentioned, that we have many Good Laws for the regulation of this matter, which will ever prove insufficient whilst the Indians themselves give such encouragement to this Vice, and by means of their own people carry on such underhand practices for the purchase of Rum, as render it impossible for us to detect the Offenders; the Chiefs must, if they really mean to preserve their health and do publick Business in a right manner, lay proper restraints on their own people, and stave every cask that is brought into their Country; this is in their power, and till this be done on their part, all our care will prove ineffectual.

"You are to recollect every thing that has been said from time to time with respect to the Surrender of all our Prisoners, and to take care to find out what number of our fellow subjects have been carried into captivity, their Names, Ages, whence taken, where they are now to be found, and how they are treated by the Indians; & Learn every circumstance relating to them, and the real disposition of the Indians as to the delivery of them.

"As the Captives become private properties, and are often adopted into Families in the room of deceased Relations, I am sensible that great art will be used in keeping back many of our Captives, & perhaps some of them would not be willing to come, and therefore earnestly recommend it to you to find out with Teedyuscung the properest way of removing all these difficulties, so that this which we have so much at heart may be effectually performed.

"Lastly: You will give the Indians every where the strongest assurances that no person shall be permitted to make Settlements on their land, or any where to the Westward of the Allegheny Mountains; acquaint them that a Law has already passed in this Government forbidding our inhabitants from hunting or killing Game in any of their hunting Grounds, under severe penalties; and that the General will be told of this, and desired to give it in charge to all the Officers and Soldiers to see this Law put in execution.

"This they will consider as a very strong testimony of our faithful observance of our promises to the Indians on this head.

"I heartily recommend you to the care of devine providence, praying that he may afford you Strength and health to perform this great and important Trust."

At a Council held at Philadelphia, on Thursday the 3d April, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esqr Lieutenant Governor.

William Logan, Richard Peters, } Esquires.
Lynford Lardner, Benjamin Chew, }

A Representation from Mr. Peters and Mr. Hockley, complaining of injuries done to the Proprietaries in their taxation for the County of Cumberland, was read in these words:

"*To the Honourable James Hamilton, Esquire, Lieutenant Governor, & Commander-in-Chief of the province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, on Delaware,*

"*The Representation of Richard Hockley, Esquire, Proprietary Receiver General, and Richard Peters, Esquire, Proprietary Secretary*:

"We beg leave to lay before you an Account of our Proceedings in relation to the Proprietary Tax for the County of Cumberland.

"On the 20th of January, We received from Colonel Armstrong the first account of that Tax, and by Letter he acquainted us that the Commissioners and Assessors had deliver'd it to him to be transmitted to the Proprietaries' Agents, that they might, if they pleased, appeal thereto, and We, apprehending it to be very exorbitant and unreasonable, desired an Appeal on behalf of the Proprietaries, which was Granted, and on the sixth and seventh days of February, We had a meeting with the Commissioners and Assessors at Carlisle.

"We first desired them to shew us the several Township Assessor's Returns, and to let us know the Commissioner's mode of calculating the general Articles, Which they did, and we found that they had put a Quit rent of One-half penny sterling p^r acre upon the whole quantity of Land returned by the Township Assessors, as belonging to the Inhabitants, amounting to 171,315 Acres, and then charged the Total of that Quit Rent, with a Tax of Six Shillings p^r Pound, for Five Years back.

"Of these lands 34,943 Acres only were set down as Patented, and the remainder, amounting to 136,372 Acres, being held or possessed by the people without patents, was estimated at Fifteen pounds Ten Shillings p^r Hundred Acres.

"5,000 Acres were also set down as proprietary appropriated Lands near the Town of Carlisle, 3,000 Acres whereof, were rated at One hundred Pounds p^{r} Hundred.

"64 Lots in the Town of Carlisle were set down as belonging to the proprietaries, and they rated eight of them at One Hundred Pounds each, and the rest at Fifteen pounds each.

"146 Lots were returned as belonging to the Inhabitants, and a rent of seven shillings Sterling p^{r} Lot rated to the Proprietaries.

"The Tract in east pennsborough Township was set down as containing 10,000 Acres, and rated at Seventy-five Pounds p^{r} Hundred, and they charged the said Yearly Interest respectively of the Capitals of all these appropriated Lands and Lots, with the Like tax of Six Shillings in the Pound for the five Years.

"And the proprietary Tax upon the above Estimate amounted to Seven Hundred and eighty-seven Pounds ten Shillings, for the Five Years.

"Against which Assessment we remonstrated to the said Commissioners and Assessors, on the part of the proprietaries, that such Lands as were not confirmed by Patent, were held by those who were seated on them, either by a Warrant and Survey only, or by Persons who had sat down upon them as Volunteers without any claim or pretence of right at all; and that in either Case it would be most unjust to Tax the Proprietaries for the Quit Rents or purchase money supposed to be of right due to them from such Tenants.

"First, with regard to such Lands as had been surveyed by Virtue of Warrants obtained from the Proprietaries, We observed that it was evident from the Nature of the Contract and from the terms of the Warrants themselves, that no legal Estate vested in the Grantee, until a Confirmation was made by a return accepted into the Secretary's Office, and a patent issued in Consequence of it. Till this is done the Agreement is Executory only, so that the Proprietaries can bring no suit at Law to recover either the Quit Rent or purchase money agreed to be paid at the time of obtaining the Warrant. In this view of the Matter, it is clear that the Quit Rents and purchase money due to the Proprietaries upon these Lands, are nominal only, and depend on the Contingency of the Tenants going at Some time or other, perhaps not for twenty Years to come, and of their own accord, paying the purchase Money and arrears of Quit Rents from the Warrant and survey, and that we conceived it was a case unprecedented, inconsistent with the principles of common Justice, and by no means the intent of the Legislature to tax any person for an Estate or Interest to which we had not a certain right and Title.

"Secondly. We insisted that if the purchase money due on such Lands could be justly consider'd as a Certain debt to the Proprietaries, which they might at any time sue for and recover, yet such purchase money was not liable to be taxed at all, because they very Tenants from whom such purchase money is due, are themselves

taxed for the Land, and by this means a Tax would be twice paid for the same thing, vizt: first for the Land, and Secondly, for the consideration Money given the Seller by the Buyer, instead of the Land.

"And further, that we were well informed the Assessors in Taxing the People had not made it their practice in the said County of Cumberland or any other County, to tax both the seller and buyer in the manner they have done here with the Proprietaries, who, by the express direction of the Act of Assembly, are directed to be Taxed in the same manner as the People.

"Thirdly. We contended that if it was admitted for Argument sake that the proprietaries ought to be Taxed for such purchase money, yet they could not with Justice be Taxed with the whole sum of Fifteen pounds Ten shillings p^{r} Hundred, because the Sum of Five pounds was always received from such purchaser before he could obtain a Warrant, so that in no case more than Ten pounds ten shilling of such purchase money was due to them. The Assessors have, therefore, Taxed the Proprietaries for the Interest of five pounds too much on every Hundred Acres, and of as much more as has been paid of the purchase Monies over and above the Five pounds.

"Fourthly. We informed the Commissioners and Assessors, that the proprietaries, in compassion to the distressed Circumstances of Those Tenants who were seated on Lands in Antrim and Peters Townships and the other Frontier Townships in Cumberland County, who, from the late Indian Ravages, had been drove from their Settlements and suffered great hardships, had signified to us an Intention to remit the Interest and Quit Rent due from them from the time that the Incursions began; that these frontier Inhabitants had been exempted by the Commissioners and Assessors from all the publick Taxes for the last five Years, and if the Proprietaries were now obliged to pay Taxes for the purchase Money and Quit Rents due for such Lands, it would probably induce them to withhold the charitable Donation they intended to make to such Frentier Inhabitants, and insist upon the full payment of such arrears, besides it was very unreasonably that the Proprietaries should pay a Tax for Quit Rent and purchase Money for Lands where the Tenants, from the particular Circumstances of their Situation, had been exempted.

"Fifthly. That with respect to such Lands as the Proprietaries had never granted by Warrant or otherwise, but were seated and occupied by persons who had no pretence of right and were properly to be consider'd as Trespassers, there could not be the least shadow of reason or Justice to Tax the Proprietaries for purchase Money or Quit Rents thereon; That the Commissioners and Assessors had, moreover, in this part of Their Conduct, acted directly contrary to the Act of Assembly passed in the 29th Year of his present Majesty, for granting the Sum of Sixty thousand Pounds for the

King's use, to which all the subsequent Acts for Granting Supplies to his Majesty refer, whereby it is expressly enacted that all Settlers on Lands, without Title and not the real Owners, shall pay all Taxes for them.

"We further remonstrated that the Tract of Land lying in East Pennsborough Township, charged to the Proprietaries for 10,000 Acres, did not contain more than 7,000 Acres, of which 1,000 Acres were in the Hands of the Assigns of Peter Chartir, a Shawonese Indian, and Tobias Hendricks, who takes care of the Tract, and who have paid the full Tax for it, and that this Tract being formerly surveyed for, and Offer'd to the Shawonese Indians for their Convenience and habitation, in order to draw them from the Ohio, in the Neighbourhood of the French, where they had them lately settled (tho' they had not hitherto accepted of the Offer), ought not to be taxed, since it was still reserved for the use of these Indians, whenever they should choose to remove there.

"After making these objections, we desired the Commissioners to reconsider the Tax, and make such Abatements as we conceived the Proprietaries were justly intituled to, and we were in hopes that they would have done so, but we find ourselves much disappointed, for on the 27th February, Mr. John Smith, Member of Assembly for the County of Cumberland, acquainted us that He had brought a Duplicate for the Proprietary Taxes for the Year 1756, '57, '58, '59, & 1760, to be laid before the Assembly, as adjusted by the Commissioners of that County, after our Appeal, amounting to £550 19 10, and was so kind as to Give us a Copy of it; Whereby it appears that the Commissioners had no other regard to our remonstrance than To make an Abatement of three Years on 20,000 Acres, which, on a random Computation, unsupported by any returns, they supposed were held without Warrants, and why the abatement was made for three Years only, and not for the Five, seeing that it does not appear that the Lands are any ways Taxable at all, we cannot comprehend. To deduct 68 Lots in the Town of Carlisle, which they, on enquiry, found had been lately granted away by the Proprietaries, and to lessen the Quantity of the aforesaid Tract in East Pennsborough Township, from 10,000 to 6,000 Acres.

"For your Honour's Satisfaction, we have annexed Copies of the two Assessments, and as we conceive this Taxation to be unjust, and contrary to the Spirit and Intent of the late Act of Assembly, and may be made a precedent of in future Taxes, as well in the other Counties as in the County of Cumberland, We thought it our duty to lay this State of the case before your Honour, for your serious consideration, that in case any Taxes may be hereafter necessary to be raised, proper provision may be made by Law to prevent, for the future, the like acts of Injustice done to the Proprietaries.

"RICHARD HOCKLEY,
"RICHARD PETERS.

"Philadelphia, 1st March, 1760."

Dr. The Honble., the Proprietaries of the Province of Pennsylvania, to their proportionable parts of one sixpenny, One twelve penny, and three-Eighteen penny Taxes, levied and raised in the Years 1756, '57, '58, '59, and 1760, as by several Laws directed for his Majesty's Service.

TOWNSHIPS.	Lands returned by ye Inhabitants.	Lands not patented.	Proprietaries' Lands.	Lots ret^d by ye Inhabitants.	Proprietaries' Lotts.	Rates.	Tax. £	S	D
Peters' Township,	28,180	19,320				210 6 0	63	2	0
Antrim,	23,128	16,298				169	52	9	1
Hamilton,	11,635	10,835				104	31	7	7
Gilford,	7,320	6,620				64 11 6	19	7	5
Lurgan,	28,675	26,275				255 2 0	76	10	7
Hopewell,	14,855	12,445				124 17 6	37	9	3
West Pennsborough,	18,442	16,642	800 acres value 1	00p. 6s.		162 15 0	48	16	6
Middleton,	18,568	16,468	4,367 do. do. @	25		291 7 0	83	2	0
Carlisle,						233 13 6	67	2	0
East Pennsborough,	14,140	9,940	6,000	184	63	395 18 8	118	13	2
Allen Town,	8,593	5,054		value at 1	75p. 6s.	58 13	17	11	9
							£615	11	4

	£	S	D
By abatement on 20,000 Acres, estimated to be unwarranted among the Lands returned by the Inhabitants of ye county three years abatement,	56	11	0
By 68 Lotts in Carlisle, lately Granted,		8	6
Ballance or Amo^t of the Tax,	550	19	10
	£615	11	4

The above is a fair Duplicate, as furnished by the Assessors, & by us compared and adjusted, Amounting to Five Hundred and Fifty Pounds nineteen shillings and ten pence.
Errors excepted.

P^r. THOMAS WILSON,
WILLIAM BUCHANNON, } Commissioners.

To the Honourable Representatives of the Freemen of the Province of Pennsylvania in General Assembly now sitting:

To the Honourable Representatives of the Freemen of the Province of Pennsylvania in General Assembly now sitting:

CUMBERLAND COUNTY.

The Honourable, the Proprietaries of the Province of Pennsylvania, their Proportionable part of One 6$^{dy.}$, One 12$^{dy.}$, and eighteen penny Taxes, levied and raised in the Years 1756, 1757, 1758, 1759, and 1760, as by Several Laws directed for his Majesty's Service.

TOWNSHIPS.	Acres of Land returned by y^{e} Inhabitants.	Lands not patented.	Proprietaries' Land.	Lotts returned by y^{e} Inhabitants.	Proprietaries' Lotts.	Rates.	Tax. £ S D
Peters' Township,	28,160	19,300				£267	£80 2 9
Antrim,	22,300	15,470				213	63 18 0
Hamilton,	12,285	11,485				145	43 10
Gilford,	7,800	7,100				90	27
Lurgan,	27,820	25,100				325	97 10
Hopewell,	16,065	13,665				177	53 2
West Pennsborough,	18,544	16,744				213	63 18
Middleton,	16,787	14,693	5,000			324	97 4
Carlisle,				146	64	205	61 10
East Pennsborough,	13,865	8,665	10,000			605	181 10
Allen,	7,689	4,150				62	18 12
							£787 16 0

The Governor then informed the Council that he had received the supply Bill from the House, with a verbal Message, desiring it might be passed as it was presented, without any Amendment; and that he had prepared a Message thereupon to the House, which was read and approved:

A Message from the Governor to the Assembly.

"Gentlemen:

"The Amendments which I proposed to the Bill intituled 'An Act for granting One Hundred Thousand Pounds, &c.,' appeared to me so just, and the reasons on which they were founded so obvious, that I flattered myself they could not fail of receiving your approbation.

"You may well imagine then that I was not a little surprized at having the Bill returned to me with a Message, that the House unanimously adhered to it, and had rejected all my Amendments; but as I have no private Interest to favor, at the Expence of the Public, or any thing more in view than to act uprightly and sincerely with you upon all occasions, I have thought it not improper to communicate to you the particular Motives which induced me to offer those Amendments.

"In all Laws, and more especially those by which Taxes are to be imposed upon the people, precision and perspicuity are chiefly to be regarded; the Estates intended to be made liable to Taxation, as well as the Mode and manner of Assessing them, should be so clearly ascertained as not to subject the People to injustice from the Officers appointed to carry them into execution either by their misapprehending the Laws or putting different Constructions upon them.

"On considering the first enacting clause of the Bill, the Rules laid down for assessing the real and personal Estates of the Inhabitants appear'd to me to be liable to the above mentioned Objections, and I was induced to propose the first Amendment (which does not otherwise differ from what I conceive to be the Intention of the Bill, than as it is more clear, full, and Certain) that it might not be defective in so very material a part of it. And although it may be more immediately your Concern to take care that equal justice be administer'd to all your Constituents, yet I cannot but look upon it my duty, also, to point out to you any thing that occurs to me, which may tend to their Advantage.

"'Tis the essence of free Governments that the money raised for publick services should be assessed equally upon all ranks and Conditions of men, otherwise the highest injustice may be committed under the Sanction of Law. And were there no other reason to support the second Amendment, by which Commissioners are especially appointed to hear and determine Appeals that may be brought before them in Behalf of the Proprietaries, in cases where

they Conceive themselves to be aggrieved by the Assessments of the County Assessors, than that such Assessors do not represent the Proprietaries, but the people only, who elect them, I should look upon myself to be sufficiently justified under an English Government in offering, and insisting on so just an Amendment, but the injury that I am informed has been done to the Proprietaries, by the Assessors and Commissioners in their last year's Assessment in the County of Cumberland, adds strength to the argument, and loudly demands that some new method be fallen on to guard them against the like Oppression for the future.

"I have lately received a written representation from the proprietaries' Secretary, and receiver General, containing the particulars of this Fact, and have ordered it to be laid before you, on examining which, I am persuaded you will be convinced the Proprietaries have been very hardly dealt by, being, in some cases, taxed for a supposed Interest or property, which may, or may not, arise to them on future Contingencies, in others at Random, and upon conjecture only, and in other Cases contrary to the Intention of the Law, and where the people are not taxed in the same Circumstances.

"Nothing, Gentlemen, is further from my thoughts than to desire that the Proprietaries' Estate should be exempted from paying a proportionable part of the supplies for the current service; all I contend for is that they May be put upon an equal Foot with others, and Burden'd with no more than their just proportion of Taxes, and in this I cannot doubt but you will concur with me. If, therefore, the above Amendment is likely, in your Opinion, to answer this good end, I hope, on reconsidering the Matter, you will accede to it. Or, if on the other Hand you can sufficiently remedy the Evil complained of, by pointing out some better Method, I shall very readily embrace it, but I cannot see how you can reasonably expect that I, who am entrusted with the care of the Proprietaries' property, can give my assent to a Bill by which it may be so injuriously treated, and by which so unequal a Burden may be laid upon it.

"I was led to propose the several other short Amendments, Gentlemen, to make the Bill consistent with itself, which at present it seems not to be, for whereas, in a former Clause of the Bill, it is directed That the Provincial Commissioners shall dispose of the money thereby given for his majesty's Use, with the Consent and Approbation of the Governor; in subsequent Clause, which immediately follows, that Consent & approbation is Entirely annihilated and taken away, as the Trustees of the Loan Office are thereby required to pay all Orders which the Commissioners (only) shall draw upon them, and all draughts and Certificates which have been made by the Assembly upon the Provincial Treasurer for Services done to the Publick, which yet remain unpaid, without the Governor's approbation being made at all necessary to the payment of those Orders & Certificates, or without his being so much as made

acquainted with the Nature of services for which payment is demanded, or whether they are properly chargeable to the Fund thereby granted to his majesty.

"This contrariety, Gentlemen, had, I presume, escaped your notice, and that it could not have been your intention to deprive your Governor of Constitutional Right of sharing, at least, in the disposition of all publick money raised for the King's Service.

"Upon the whole, Gentlemen, I have ordered the Bill to be again laid before you, and desire you will reconsider the Amendments, and the reasons now offered, with that care and attention which their importance requires, and that you will acquaint me with the result of your deliberations as soon as possible.

"JAMES HAMILTON.

"April 2nd, 1760."

At a Council held at Philadelphia, on Tuesday, the 8th of April, 1760.

PRESENT:

Richard Peters, Benjamin Chew, Lynford Lardner, Thomas Cadwalader, } Esquires.

A Bill entitled "an Act to enable the Owners of Meadows at Point-no-Point, to keep the Banks, Dams, Sluices, and Flood-gates in repair, &c.," was read and agreed to.

The Governor acquainted the Council that the supply Bill was again returned to him, with a Message, requesting he would be pleased to pass it as it stood, and desired they would give him their Advice, and after long consideration, they advised the Governor to pass the Bill, with a message, setting forth his Reasons for so doing, and thereupon the Governor sent the Secretary to the House, with the following Verbal Message:

"Mr. Speaker:

"I am commanded by the Governor to acquaint the House that he observes in the supply Bill now before him, a Clause to the folfowing effect, vizt: That the Trustees of the Loan Office shall, and they are hereby authorized and empower'd, out of the Monies arising by virtue of this Act, to pay and discharge all such Certificates and draughts, as have been heretofor made by Order of Assembly to the provincial Treasurer, for Services done the Publick, which yet remain unpaid, through a deficiency of Money in the Provincial Treasurer's Hands, and desires to be informed what the sum total of those Certificates and draughts may amount to, and likewise the Services for which they were made and given."

The Bill to enable the owners of Point-no-Point Meadows, &c^{a}. was returned at the same time, with the Governor's assent thereto.

The Supreme Court being to sit in day or two, the Governor thought proper to issue Commissions to Mr. Allen, Mr. Growden, Mr. Coleman, to hold their Offices of Judges of the supreme Court, Quamdui to benejesserunt, agreeable to the law passed by the late Governor Denny.

On the 10th April the secretary returned the house the supply Bill with the following Message:

A Message from the Governor to the Assembly.

"Gentlemen:

"I was in hopes the reasons offered in my Message of the second Instant, in support of the Amendments proposed to the Bill for Granting to his Majesty the Sum of One Hundred Thousand Pounds, were so just in themselves, and so clearly and distinctly set forth, that they could not fail to have made the same Impression on your Minds which they had before done upon mine; And that consequently, as it is a Bill of very great importance, both to the Proprietaries and people, you would at least have adopted so many of those Amendments, which I am sure no body can think unjust or unreasonable, as that I might have given my Assent to it with pleasure.

"I must own, therefore, I was much grieved at receiving back the Bill from the House with a short Message only, That they adhered to it, without offering a Single Argument either to establish their own opinion or to invalidate mine.

"Can you think it a Small thing, Gentlemen, for one in my Station to give his Assent to a Bill by which many of the legal and most essential rights of Government are wrested from him and transferred to Commissioners of your own Nomination and Appointment, By which his constitutional right of approving at least of the disposition of all publick Monies, is taken away, and not even the smallest Check or Controul allowed him, upon the misconduct of others, or Misuse of the Powers intrusted to them? And lastly, by which his Constituents, the Proprietaries of this Province, are deprived of that common and most valuable privilege of Englishmen, of being taxed by their own Representatives. And yet all these hardships are imposed upon me, and repeatedly adhered to by you, in the Bill now sent up again for my Concurrence.

"Whereupon I cannot forbear remarking to you, Gentlemen, that this kind of proceeding can neither carry a good Appearance with respect to Government in General, nor be attended with any real Advantage to the people you represent.

"I am sensible, Gentlemen, that there is an absolute Necessity for passing a supply Bill at this time, not only for enabling us to give the best assistance in our power towards effecting the great things his Majesty has in view for the Benefit of these Colonies, but for

the particular security of our own Frontiers at this critical Juncture, when it is uncertain how soon and how nearly we may be affected by the hostilities renewed by the Cherokees with greater fury than ever upon the Southern provinces, and also for discharging the large Arrears of pay due to our provincial Troops.

"All these Considerations have had great weight with me, and have caused me to reflect with pain on the dangerous Consequences naturally to be apprehended from an adherence to my Opinion equal to that which you have shown to yours. And since I see you are determined against any such Alterations in your Bill as may make it consistent with my Notions of right, I must be content upon the present Occasion (rather than his Majesty should be deprived of the Aids thereby granted to him) to yield to the necessity of the Times, and give my Assent to a Bill by which not only the Estates of the Honourable Proprietaries may be greatly injured, but the just and legal Powers of Government Certainly will be very much prejudiced and wounded.

"I am therefore to declare to you, Gentlemen, that moved by the above mentioned Considerations alone, I am ready to pass the supply Bill whenever you shall present it for that purpose. I am also to desire that this may be done as soon as possible, the season being already far wasted, and the General impatient to know the issue of our proceedings, that he may take his Measures accordingly.

"JAMES HAMILTON.

"April the 10th, 1760."

At a Council held at Philadelphia, on Friday, the 11th April, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor.

Lawrence Growden, Richard Peters,
Lynford Lardner, Benjamin Chew, } Esquires.
Thomas Cadwalader,

A Bill to enable the owners of Greenwich Island to embank and drain the same, to keep the Banks and Dams in Good repair for ever, and to raise a fund to defray the expence thereof, was read and approved.

A Bill to prevent the hunting of Deer and other wild Beasts beyond the Limits of the Land purchased from the Indians, by the Proprietaries of this Province, &^c.^, was read, and some Amendments made thereto.

A Bill for regulating the Officers and Soldiers in the pay of this Province, was read and agreed to.

A Letter from Mr. Ponneal, Governor of Massachuset, informing him of a great fire that had lately happened at Boston, and desiring that he would be so good as to recommend it to the people under his Government to assist in relieving their distressed fellow Subjects, and that he would cause what may be collected on this occasion, to be remitted to the Select men and overseers of the poor of the Town of Boston, was read and ordered to be laid before the House, with the following verbal Message, vizt :

"Sir :

"I am order'd by the Governor to lay before the House this Letter, which he lately received from the Governor of Boston, and to acquaint them that as the Case therein set forth is really a Calamitous one, and entitles the Sufferers both to the Compassion and relief of their fellow subjects, he Recommends them to the Consideration and Benevolence of the House, as Objects rather fit to be relieved by a publick Donation than private Subscription."

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MEMORANDUM.

Three Members of the House waited on the Governor, and acquainted him that they thought the Sufferers at Boston were entitled to relief, and that such relief might be Given them out of the One Hundred Thousand pounds lately granted to the King's Use. The Governor agreed to this, and in the Conferences gave it as his Opinion that the Sum of £1500 or £2000 would be a generous Gift to the Inhabitants of Boston.

At a Council held at Philadelphia, on Saturday the 12th April, 1760.

PRESENT :

The Honourable JAMES HAMILTON, Esqr, Lieutenant Gov^{r}ernor.

Lynford Lardner, Richard Peters, Esquires.

The Several Bills that had received the Governor's Assent having been engrossed and compared by Mr. Peters and Mr. Lardner and two Members of the House, The Governor sent the Secretary to require the Attendance of the Speaker and the House in the Council Chamber, in Order to have the same enacted into Laws; and they attending accordingly, the following Bills were passed into Laws, and a Warrant signed by the Governor under the lesser Seal to affix the Great Seal thereto :

" An Act for Granting to his Majesty the sum of One Hundred thousand Pounds, and for striking the same in Bills of Credit in the Manner hereinafter directed, and for providing a fund for sink-

ing the said Bills of Credit by a tax on all Estates, real and personal, and taxables within this Province."

"An Act to enable the owners and possessors of Meadow at Point-no-Point, in the precinct of Richmond, in the County of Philadelphia, to keep the Banks, Dams, Sluices, and Floodgates in repair, and to raise a Fund to defray the Expence thereof."

"An Act to enable the owners of Greenwich Island to embank and drain the same, to keep the Banks and Dams in good repair for ever, and to raise a fund to defray sundry contingent and Yearly Expences accruing thereon."

"An Act to prevent the hunting of Deer, and other wild Beasts, beyond the Limits of the Lands purchased of the Indians by the proprietaries of this province, and against killing Deer out of season;" And

"An Act for regulating the Officers and soldiers in the pay of this Province."

At a Council held at the state House, Friday 11th July, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor.

Benjamin Shoemaker, Joseph Turner, } Esquires.
Richard Peters, Thos Cadwallader, }

Mr. Fox, } Gentlemen of the City.
Mr. Pemberton, }

Frederick Post, Interpreter.

24 Minisink Indians, 2 Nanticokes, and 3 Delawares, from an Indian Town called Michalloasen, or Wighalooscon, about Fifty or Sixty Miles above Wiomink, on the susquehannah, vizt:

Papununk, } Two Speakers of the Minisink Indians; with
Toan-kakanan, }
Noosawapamukus, } Nanticokes at Chenango,
Machine-uka, }
Nanatchies, Delaware.
Pelawe-ach, Minisink.
Sepeank, Minisink.
Tatankaing, Minisink.
Mesakeenan, Minisink.
Penacheewees, Minisink.
Kendaskond, }
Wochkaasa, } Minisinks from Atsintsink.
Wesehannas, }
Onape-assen, Minisink.
Job Chillaway, Delaware.
Wayajoe-quas.
Three Women and Nine Children.

Papunhack arose and spoke as follows, Job Chillaway, a Delaware Indian, being Interpreter:

"Brother:

"Hearken to me; Teedyuscung called at our town in his way to Atsintzing, and we held a Council together, in which he related to us all the business he was then going about, and likewise applied to us to assist him in the matter, which he said you had very much at heart, vizt: The return of your flesh and Blood that were prisoners amongst us; We were very well pleased with the good News he brought, and with his request, it made our hearts glad, and we did as he desired, giving him up in Council the three only Prisoners we had amongst us."

A String.

"Brother:

"Frederick Post was with Teedyuscung, and acquainted us with the Messages which were given him by you to deliver to the Indians in all places where he should come, vizt: That King George, and the Governor and People of Pennsylvania, were very well disposed to the Indians, which rejoyced us mightily to hear."

A String.

"Brother:

"We told Teedyuscung we intended to go to Philadelphia soon, and thereupon he desired us to take the Three English Captives that We had delivered to him in Council, down with us, and deliver them to the Governor. And Frederick Post wrote down, as well what Teedyuscung said to us, as what We said to him, and give us the Writing which I now deliver to you, as it contains all that passed between us."

Here he delivered the writing and the Prisoners to the Governor.

N. B. The writings were read, and are the same with what are inserted in Frederick Post's Journal.

One of them was a Girl of the name of Vanellen, and was forth given to her Brother, who came on purpose to receive her, a Letter having been sent to him from Bethlehem, to acquaint him that she was come with these Indians. The other two being a Boy and Girl, were committed to the care of Mr. Fox, and he promised to provide for them and send them to their relations.

He then proceeded in his speech, saying:

"Brother:

"After Teedyuscung was gone, We consulted among ourselves, and determined to seek for and collect all the Horses that had been stolen from the Frontiers of your Province, and brought to our parts; We found Six and took them along with us; One was drowned in Crossing the Sasquehannah at Wioming; Another was claimed on the road, and Job Chillaway went back with the horse

to the Moravian Tavern, along with the Dutchman that claimed it, and desired Justice Horsefield that he might be examined, and if it was proved to be his property, that he might have it. Another being a young Coult, tired on the road, and was left at a Smith's Shop, about two Miles on this Side Samuel Deans; Three we have brought with us, and they are here in Town.

"Brother, I have done."

Then Toan-kakanan arose, and also spoke:

"Brother:

"Tho' we are poor, we want no recompence for the prisoners and Horses; We do not return them to you from a desire of gain; you are welcome to them, and we are glad of this opportunity of obliging you.

"Brother:

"I am now to acquaint you that We have a White man in our Town, who Chose to live amongst us. We know not where he comes From; He is a good man, and we are glad to keep him among us. One of the Nanticoke Indians said he was a soldier, and left the soldiers at Some place on the Mowhawks River; He was tired with soldiering, and chose to come and live with the Indians; He was at Chenango before he Came to us. His Name is ——— Faizer, and he desires the Governor will give him his discharge." Then the Minisink Chief proceeded: "Brother: several English Men have come to our Town, but in a little while they did not behave well, and We did not like them; But this Man has always behaved well. We desire the Governor would send him his discharge by us, that he may either stay or come as he pleases, for we leave him entirely at his liberty. He is beloved by us all.

"Brother:

"I assure you We have no more Prisoners nor Horses in our Town. We have cleared ourselves of them all, but I think it proper to acquaint you that one of our old Men, called Allemarvein, tho' blind, assisted us very much in the Matter of the Horses, he bought some of them from those who had taken them from the English, and tho' they Cost him Money, yet he did not Value it, he gave them to us Chearfully, and desired We Would take them safe to you; We are not like many other Indians, who will neither deliver their prisoners or their Horses, nor let those do it who are otherwise well disposed.

"This is all We have to say."

The Governor returned them thanks for their speeches; told them he would send a Letter by them to the soldier, in whose favour they had spoken, and desired they would attend to-Morrow Morning at Nine O'Clock, when he would say something to them.

At a Council held in the stadt House, on Saturday the 12th July, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor.

Benjamin Shoemaker, Richard Peters, Esq^rs.

Joseph Fox, Jeremiah Warder,
John Reynold, Joseph Morris,
Hugh Roberts, Richard Wister,
Owen Jones, Thomas Say,
Israel Pemberton,

} several and others of the Society call'd Quakers.

The same Indians as yesterday.

The Governor desired the Interpreters to acquaint the Indians that he was going to give them his Answer to their speeches, & then began as follows, vizt:

"Brothers:

"What you said yesterday was very pleasing, and, in behalf of Myself, and all the Inhabitants of this Province, I thank you for Complying with our request, which We have so much at heart, and for the pains and labour you have been at in coming to us, and restoring our flesh and Blood to us."

A string.

"Brothers:

"We all rejoice to see the upright and Good part you have acted. We desire you will be strong and use your utmost endeavours to prevail on all other Indians to follow your Example and to do the same good thing, and for your encouragement We present you with this Belt."

A Belt.

"Brothers:

"We are very sensible as well as you of the mischiefs that are ever arising from an intemperate use of strong Liquors, but it is not in our power to restrain our people that are at so great distance from this City, from Carrying Rum to your Towns. There is no other way to put a Effectual stop to this, but for you to stave every Cask that is brought among you. Be strong and let not one escape, and these bad men will be discouraged from bringing you any more Rum."

A string.

"Brothers:

"As a token of our Love for you, We have provided a few things for you, and desire your acceptance of them.

"Brothers:

"We have been told that there are some of our Prisoners with French Margaret, and that she would come and deliver them up to us, but has heard some stories which make her afraid to come.

Pray give her this string, and let her know that she may come to us without any danger, and that we shall be glad to see her with all the prisoners as soon as possible."

A string.

"Brothers:

"In Complyance with your request, I have wrote a Letter to the young man, and have promised him my protection, so that he may come down with safety, and as soon as he pleases.

"I have now done."

The Indians, who were very attentive, after a little Consultation returned the Governor their hearty thanks, and after a Considerable pause Papoonhack, seemingly under a good deal of Concern, arose and spoke as follows:

"Brothers:

"I do not come here to do any public Business with the Government. I am not in that Character. I came on a religious account, on an Invitation sent me by some Religious People, about twelve Months ago, and therefore it frightens me to hear what you just now spoke, vizt: that you have provided some Goods for our use, and mean to make us a Present of them. I thank you for your good will, but I cannot allow myself to receive them, since this would look as if I was come as other great ones do to receive presents. No, Brother, I am perfectly satisfied with the many Good things I have heard in the Religious Conferences that We have held since we came here.

"Brother:

"I will tell you the Reason why I say I am frighten'd; should I lay my hands on your presents, it would raise a Jealousy in the Breasts of those round about me, who transact the publick Business and are wont to receive Presents on such Occasions. It would, moreover, be apt to corrupt my own mind, and make me proud, and others would think I wanted to be a great Man, which is not the case. I think on God, who made us, and want to be instructed in his service and Worship. I am a great Lover of Peace. I have never been concern'd in War Affairs. I have a sincere remembrance of the old Friendship which subsisted between the Indians and your forefathers, and shall always observe it. I love my Brethren, the English, and they shall ever find me faithful. I was invited to come, and for these reasons did come, and not to receive Presents, which spoil and corrupt the receivers of them. Many have misbehaved after they have received them, and many, I am afraid, came only for the sake of Receiving them.

"Brother:

"It comes into my mind to mention something to you that I Think wrong in your dealings with the Indians. You make it publick that you will give a Certain price for our Skins, and that

they are to be weighed and paid for at that set price, according to their Weight. Brother, there are two bad things done in this way of dealing; You alter the price that you say you will give for our skins, which can never be right; God can not be pleased to see the prices of one and the same thing so often altered and changed; our Young Men, finding that they are to receive for their skins according to the weight, play tricks with them and leave on them several parts which are of no use, only to make them weigh more, such as some of the flesh, the Ears and the paws.

"Brother:

"This is not as it ought to be; we should not skin our skins in such a way; our Corrupt heart has found out this way of dealing. Brother, you see there is no Love nor honesty on either side. You do wrong in altering your prices, and the Indians do wrong in bringing skins with so much badness on them. Therefore, Brother, we propose to fling This entirely away, for if it remains so we shall never agree and love one another as Brothers do. Now Brother, I desire you will not raise your Goods to too high price, but lower them so as you can afford it, that we may live and walk together in one Brotherly Love and Friendship, as Brothers ought to live. Brother, I don't say this with a view to have a great Price for my skins, but only lay it before you that you may Consider and Come to some determination about it.

"Brother:

"I must once more acquaint you That my Chief design in Making this Visit is to confer about Religious Matters, and that our Young Men agree with me in this, and to love God, and to leave off their former bad courses."

He then produced an old Bill of the New Jersey Currency, that is out of date, and Complained that it was given him for skins, and nobody would take it in payment. The Governor gave him present Currency for it, with which he was satisfied.

Job Chillaway made a Complaint on behalf of his Brother, whose English Name is Thomas McKee; he said that while he was at Fort Augusta he bought a Horse, which Cost him Eighteen Pounds, and he desired Captain Trump to put him into pasture for him amongst the Inhabitants; that Captain Trump received the Horse, but kept him in the stable at the Fort, for the use of the Barracks, where he Contracted a disease of which he dyed, and that he has never been paid for the Horse.

Then Papununk spoke again:

"Brother:

"With regard to what I have mentioned about Religious matters, it may be Some may not think as I do, or may think slightly of these Matters, but I am fixed in my principles, and Shall always abide by them.

"Brother:

"I am glad I have an Opportunity of mentioning these several Matters in the presence of such a large Audience of Young and old Persons. The Great God observes all that passes in our hearts, and hears all that We say to one another."

He then finished with a solemn Act of Prayer and thanksgiving, which he performed very devoutly.

Job Chillaway told Mr. Post privately, that he lent a Portmanteau to Lieutenant Adam Henry, who has lost it, and never paid him for it.

That he was employed to go to Niagara as a spy, for which he does not desire to be paid; but he lost an Horse in the Journey, and for it he thinks he should be paid.

At a Council held in the State House, on Thursday, the 16th July, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esqr. Lieutenant Governor.

The Same Members of Council as on the 12th.

A Large Number of the People Called Quakers.

The same Indians and Interpreters.

The Governor, addressing himself to Papununk, spoke as follows:

"Brother:

"We understand you do not come on any Publick business, or to Treat with the Government, and that you were invited by Friends to pay a Religious Visit; And you let us know that you are Lovers of Peace, mindful of the Old friendship, and will be always our Good Friends; This declaration is very agreeable to us; We heartily thank you for it, desire you will persevere in the Same good disposition, and in return, We promise you our sincere Friendship and Assistance on all needful Occasions.

"Brother:

"It gives us Great satisfaction to hear you mention how the Lord has enlightened you. Religion is what all good Men have at heart, and we hope and pray that the day may not be far off when all Mankind as well Indians as others, shall be so enlightened as to hearken to and embrace the Christian Religion, which is so necessary to their everlasting happiness in the World to come.

"Brother:

"You told me that your Young Men would listen to you, and were resolved to regulate their Lives so as to please their Great Creator, and likewise that they would lay aside whatever was bad and displeasing to him. We approve of this just and pious resolu-

tion, and heartily rejoice to hear you. It is every Man's Duty to do the same thing, if he will approve himself worthy of the Mercies of the Heavenly Father.

"Brother:

"As to what you have mentioned Concerning our Method of Trading with the Indians We understand you well, and have Communicated what you have said to the Indian Commissioners who are Chose by the Government and People to regulate these Matters; they are present, and they will Confer with you on this subject and settle it to your satisfaction.

"Brother:

"Our presents are small and not offer'd you as a Reward, they are of too little Value to produce the bad Consequences you apprehend.

"We Consider that tho' you come well Cover'd to us, yet the bryers may tear your Stockings, Shirts and Blankets before you reach home, and that you will Want others to appear in when you return to your own People, and would have you therefore accept them, being offer'd to you out of pure Love and regard for your welfare.

"Brother:

"As you told us you did not come down on publick Business or to treat with the Government, I have nothing further to say to you at present, But to assure you that your Visit has been very agreeable to me and all the good people of the province, in whose behalf as well as my own, I salute you and wish you a safe and prosperous Journey to your own Habitations. And I pray God Almighty to have you in his holy keeping, and to strengthen more and more the Good Work already begun in your hearts, and make you the happy Instruments of spreading the Same Good and pious disposition among all the Indians."

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MEMORANDUM.

Mr. Frederick Post and Mr. John Hays, who were appointed to Attend Teedyuscung, along with Isaac Stille and Moses Tallamy, to the Great Indian Council to be held by the Western Indians over the Ohio, returned the 1st of this Instant to Bethlehem, having been denied a passage thro' the Seneca Country. Each of them deliver'd the Journal of their Travels and Proceedings, which are ordered to be lodged with the Council Papers.

At a Conference with the Indians in the state House, Thursday 14th August, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Richard Peters, Esquire.

Robert White,
John White,
George White,
William James,
Abraham Siscoe,
Jacob Sinoscoe,
} Nantycokes.

Robert Andom,
Mansieus,
Manassee,
} Conoys.

Robert White, after making an Apology for his bad English, addressed the Governor as follows:

"Brother:

"We are of your Brethren, the Nantycokes and Conoys, who live at Chenango, on the upper Waters of sasquehannah. We are not Chiefs, nor are we come on any great Matter of Business. Many of our principal Men are gone with Sir William Johnson to War, and We come to pay our Brethren at Philadelphia a friendly Visit.

"Brother:

"I clean your Eyes that you may see me as clearly as at the first. I put my hand unto your throat and pull out every thing that sticks there that might hinder you from speaking. I likewise clear your heart, that there may be a free passage from it. This being the old place where the Council Fire has always Burned, I clear the Floor, Seats, and every thing in the Council Chamber, that you may sit as clean and easy as before. I remember all the Clouds that for some time past have hindred us from seeing the Sun. I pray God may help us all to dispel these quite, that the Sun may Shine as bright as ever."

A String.

"Brother:

"We come to acquaint you that we have a good disposition for Peace. Our Grand Fathers always lived in Love and Friendship with the English. They are dead; they were wise people. We are not indeed so wise as they, but We have very good hearts towards our Brethren, and desire to follow the Good Example of our Grand fathers, in living on the same good terms, and with the same friendliness with you as they did. And in token hereof, We do By this Belt clear the road from the Place where we live at, Chenango,

to this City. We remove out of it all sorts of nastiness. We will not leave any bad or wickedness in it, that both you and we may travel in it with the utmost safety. We are very sincere in what We now say, and speak from our hearts; and We include herein all the people Who live with us, as well the Six Nations as other Indians; they are all heartily desirous that the road may be made perfectly clear."

A Belt.

"Brother:

"There have been some Indians here before us, who live nearer you than We, at a place called Waghaloosen; We heard they had been here, but did not hear what they said to you. We have been under a good deal of Concern on their Account for these two or three Years; We are right glad they came to you of themselves, and We hope they have spoken good Words to you."

A string.

"What little we had to say is now finished, and to-morrow morning We think of going home again."

After some pause, Robert White arose and spoke again.

"Brother:

"Where we live is a poor place, We have hardly anything to eat or drink, And the Town, thro' which we pass to come here, are as poor as We; It is true they have a supply of Flower from Shamoken, but it is so little that they can allow us Nothing out of it; We desire our Brethren will consider our Circumstances, and give us something to take home with us as well as to subsist on upon the Road."

Robert White acquainted the Governor that one Jn°. Ryal now present came to their Town a Year ago along with a German, one Samuel Loots, and told them they would live with them if they pleased to receive them; It seems they were two soldiers belonging to the fourth Battallion of Royal Americans, in Garrison at Oswego, and that they deserted from thence after the action at Niagara.

Robert White added that the other soldier was left behind sick and might be dead by this time. As to Regal, as he was one of their Brethren, they gave him no Encouragement to continue with them, tho' they should be glad of his stay, as he was a Good Man and had been sent of Errands by them, but they left this entirely to the good will of the Governor; Regal might either stay here or return with them to Chenango as the Governor should give directions, but if he returned it would be necessary he should have a Discharge, or he might be taken up and hanged or Shot.

Robert White said they had likewise with them a French Prisoner, taken at Niagara, and in the division of Prisoners given to them by Sir William Johnson, and was adopted among them, and belonged to one of the Indians now present.

At a Conference with the Indians in the State House, the 15th August, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Richard Peters, Esquire.

The same Indians as Yesterday.

The Governor's answer to the speeches delivered yesterday, by the Nantycoke's and Conoy Indians:

"Brethren:

"I receive your Visit kindly, and Am Glad to see you. We have had of late many thick, dark Clouds, which have taken away the sight of the Sun and of one another. You have done well in observing the Ceremonies used by your Ancestors on these Occasions, And by this String I clean your Eyes, Throat, and Heart, and Likewise wipe the Council Seats clean, that you may sit easy with your Brethren, and confer with them freely."

Strings.

"Brethren:

"By this Belt I do, in behalf of this Province, and all the Good People in it, clear the road from this City to the place of your Habitation at Chenango. You may rest assured that none of the King's subjects will molest you in the least. You may Use it very safely on all occasions that require your coming or sending to us."

A Belt.

"Brethren:

"The Indians of Waghaloosen came and paid us a very friendly Visit, and spoke good Words to us, and they expressed great satisfaction with our reception of them, when they took their Leave of us to return home.

"Brethren:

"In consideration of what you said yesterday to us, of the difficulties you met with in Getting Provisions on the Road, and how scarce everything was in your Towns, I have provided a Small matter for you which we desire you will accept as a testimony of our regard for you."

The Present of Goods.

At a Council held at Philadelphia, on Munday, the 8th September, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Richard Peters, Lynford Lardner. } Esquires.

The following Letter from General Monckton was read:

A Letter from General Monckton to Governor Hamilton.

"Sir:

"As it Cannot be expected that General Amherst will be able to spare any of the regular Troops now with him for the Winter Garrisons of the Posts in this department, which are now Considerably encreased, and the Number of Regular Troops here greatly Lessened, I think it my duty, Sir, to give you the earliest Notice that it will be absolutely necessary for the support of his Majesty's Rights on Lake Erie and the River Ohio, that a Body of the Pennsylvania Troops Consisting of Four Hundred Men, with Officers and Non-commissioned Officers in Proportion, should be immediately re-enlisted for this Service, the Garrisons of Augusta and Allen included.

"This, Sir, is so essential a Service, that I cannot in the least doubt but you will use your utmost Endeavors with your Assembly to induce them to Comply with this so necessary a Requisition, I have the Honour to be,

"Sir, Your most Obed^{t}. Hble. Servt.,

"ROBERT MONCKTON."

Thereupon the Governor drew up a Message to the Assembly, which was sent to them along with the Letter.

A Message from the Governor to the Assembly.

"Gentlemen:

"I have lately received from General Monckton a Letter dated at Fort Pitt, the Twenty-first of August last, in which he acquaints me that as the Posts to the Westward are Considerably encreased and the number of regular Troops greatly lessened, it will be absolutely necessary for the support of his Majesty's Rights on Lake Erie and the River Ohio, that a Body of Four Hundred Provincials should be kept up for Winter Garrisons at those Posts, and at the Forts Augusta and Allen; And to that end he hath requested me to use My best Endeavours to induce you to consent that out of the Troops now in the pay of this Province the aforesaid Number of men, with Officers in proportion, may be immediately re-enlisted for that Service, as will appear by his Letter herewith Laid before.

"I am perswaded, Gentlemen, you want no information with Respect to the Importance of our possessing those advantageous posts as well for maintaining his Majesty's Right to the Country he hath at so great an Expence recover'd, as for protecting our Inhabitants from any further Violence of our Enemies, whether Christians or savages, in that Quarter.

"And as it is Scarce to be expected that General Amherst (whatever be the issue of the Great work he is engaged in, will be able to spare for the above purpose any of the Regulars now with him, I am in hopes that upon weighing the Contents of Mr. Monckton's requisition, you will be of Opinion that a Compliance with it is not only reasonable but even necessary at this Juncture, and that you will enable me to act in Conformity to it.

"JAMES HAMILTON.

"September 9th, 1760."

On the 12th September, the Assembly returned the following Answer:

Assembly's Answer to the Governor's Message.

"May it please your Honour:

"We have taken into our Consideration your Message relating to General Monckton's requisition of Four Hundred Men for Winter Garrisons to the Westward, and as it will take up more time than can possibly be spared at this Juncture, when the Assembly in a few days must be dissolved of coarse by the Charter, to determine how far it will be reasonable in us to impose on our Constituents the Burthen of Garrisoning these fortifications, when they Labour under the weight of very heavy Taxes already, we beg leave to refer your Honour to the next Assembly, who, if on more mature deliberation, they shall see the expediency of the Measure proposed, may, in due time, without any Inconvenience or danger to his Majesty's Rights in that Quarter, enable your Honour to act in Conformity to the General's Requisition.

"Signed by order of the House,

"ISAAC NORRIS, *Speaker.*

"September 12th, 1760."

John Lewis having been found Guilty of the Murder of his Wife, Ann Lewis, and received sentence of death at a Court of Oyer and Terminer, held at Chester, on the 25th of August last, the record of Conviction was read, and nothing being alledged in his favour, either by the Judges, or Mr. Chew, Attorney General, a Warrant was Issued for the execution of the Said John Lewis.

At a Council held at the State House, on Munday the 15th September, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Richard Peters, Esquire.

Mr. Pemberton,
Mr. Say,
Mr. Warder,
} and several other Citizens.

Teedyuscung,
Moses Tittamy,
his Son Amos,
Anondounoakom, the Son of the Chief of the Minisinks, and Six other Delaware Indians,
} who attended Teedyuscung in his journey over the Ohio.

Isaac Stille, Interpreter.

Teedyuscung being returned from the Ohio, waited on the Governor on Saturday, to acquaint him that he had performed the Journey he undertook, and had brought a deal of Good News. The Governor expressed his satisfaction at seeing him safe returned, and appointed this day to hear his news.

After the usual Salutations, Teedyuscung arose and spoke:

"Brother:

"I have nothing to Say to you of my own at this time; I shall only now tell you some News; You may remember that I often promised you to give the hallo thro' all the Indian Nations. I have been a long way back, a great way indeed, beyond the Allegheny, among my friends there; when I got as far as the Salt Lick Town, towards the head of Beaver Creek, I stopped there and sent Messengers to the Chiefs of all the Indians in those parts, desiring them to come and hold Council; it took three Weeks to collect them together, and then, having a large Number gathered together, I communicated to them all that had passed between me and this Government for four years past, at which they were glad, and declared that this was the first time they had had a right understanding of these Transactions; they said they heard every now and then, that we were sitting together about Peace, but they were not acquainted 'till now with the Particulars of our Several Conferences; I concealed Nothing from them, and when they had heard all they were right Glad; It gave joy to their very hearts."

A String.

Then holding a Belt in his hand he proceeded:

"Brother:

"This belt came from an Indian Nation, the Kickabouses, who live a great way beyond the Twicktwees; by it they told me that it

was the first time they had heard of my making peace with the English; that they were greatly pleased with it, and joined their hands heartily to it, and they would all agree to what their Grandfathers, the Delawares, should Conclude with the English; they likewise desired Me to let the Governor know that tho' they lived a great way off, further than the other Nations, yet they would come with them in the spring, and hold Council at Philadelphia."

A Belt.

"Brother:

"My Son Amos, sitting there, is a Warrior and Captain. I took him along with me, and at this great Meeting of Indians I gave him a Belt to speak to the Warriors, as from me to join in the Peace. So after the old men had done holding the Council the Warriors went by themselves and held a Council together; and when this was over they made a speech to us old men, in which they assured Us that they had consulted together, and agreed as one man to every thing that we had Concluded upon, and would heartily keep the Peace; that they pitied the Old Men, Women, and Children; and tho' they had hitherto kept their hands shut, yet they would now open them, and no longer keep the English Flesh and Blood within their hands, but open them and set all the Prisoners at Liberty."

A String.

"Brother:

"As I went along that part of the Country where the Munsies now live, I took along with me this young man, pointing to . He is the Son of their principal men, and was very willing to go, having a desire to hear what should be said on all sides. After the General Council was over, he was mightyly pleased with it, and in order to enable him to relate faithfully all that had passed, and to use his influence, that all his Nation might concur in it, I gave him two Belts and Eight Fathom of Wampum. I had a particular reason for doing so, because I knew that their Nation had taken many Prisoners, and that they detained them in their Towns; so I thought this would incline him to get them delivered up."

A Belt.

"Brother:

"You know that we have been sitting together these four Years past. All the Indian Nations back, yea, a great way back, have heard all the particulars that have passed between us. All their Chiefs and all their Warriors have made themselves as one Man, and have formed their hands to our Peace, and promise never to break it, but to hold the Peace Belt fast. The Warriors have agreed to confirm what the Old Men have done. I consequence of this, I assure you no one Nation Shall hereafter quarrel with you or with one another, without its being first determined in a General Indian Council, at which it is agreed that the English shall be present.

This is the unanimous determination of all the Indian Nations that I have seen, viz.: the Tarons, the Nelametenos or Owendaots, The Twicktwees, the Shawonese, The Chippaways, all the Tribes of the Delaware and others, to the Number of ten Nations, all principal Nations of those who live far back to the Westward; they have all agreed to what has been said on the Belts and strings, which I have now deliver'd."

A String.

"Brother:

"This is all I have to say at this time. Tomaquior, the Beaver King (who is the head man of the Delawares at the Ohio), did not give me anything in Charge to say to the Governor. We were all present in the great Council held at Pittsburg, and heard him tell the General that he would go to Philadelphia in the Summer, and hold a Council with this Government, in Complyance with the Several Invitations he had received from it. I told Tamaqui that Pitsburgh Was no place to hold Council, as that the Old Fire was here; that Pitsburg was only a place for Warriors to speak in, and that he should do no Council Business at Pitsburg. And accordingly Tomaqui told the General that he would not say any thing to him, but say it at the place where their Grand fathers were always used to hold Council with the English.

"Brother:

"This is all. I think to come and visit you to-Morrow, and to talk over many things that I have seen in my Journey."

The Governor said he would be glad to see him, and in the mean time he would Confer with the provincial Commissioners what had been said, and as soon as he should know their minds he would give him an Answer.

The Governor returned Teedyuscung thanks for his Speeches, and the next day made him a present of Goods, which he thankfully received.

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September 17th, 1760; the following Letter, received from Mr. Holland, the Indian Agent at Shamokin, was ordered to be entered:

"SHAMOKIN, 9 Mo. 17th, 1760.

"Permit me to acquaint the Governor:

"That John Hatson arrived here on the 15th, in 8 days, from Margaret Town, and deliver'd me the inclosed String of Wampum, and the following speech, which he said was sent to the Governor by Catharine, the Daughter of French Margaret.

"That She desired, by this String of Wampum, to acquaint the Governor of the receipt of his by Papunohoal, and that she was sorry the Indisposition of her Family had so long prevented her

from complying with the Governor's request to bring down the Prisoners, but that She would be down this Fall with the two that belonged to her, and desired that She may not be blamed for her Sisters carrying the Woman She has to the Allegany, as it was not in her power to prevail with her to take her to Philadelphia; in Confirmation of which she sent the Governor the inclosed String of Wampum.

"John informed me that Molley was to set off for the Allegany with the White Woman after he left the Town, and that he expected Cate here in ten days, and that he should go witn her to Philadelphia and deliver them to the Governor.

"from thy friend,

"NATHANIEL HOLLAND."

A Conference with Teedyuscung, the 18th day of september, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Richard Peters, Esquire.

"Brother:

"I am ready to set out, but have heard yesterday some bad news which obliges me once more to wait on you.

"Yesterday I was told that some of the new England People are gone on the West side of Sasquehannah with intent to Settle the Lands at Wyomink; If this should be the case, then all the pains that have been taken by this Government and me will be to no purpose; It is the Indians Land, and they will not suffer it to be settled, I therefore desire the Governor will send a Smart Letter to the Government where those intruding People came from, to forbid this proceeding, and tell their Governor plainly that if they do not go away the Indians will turn them off; he added, with a great deal of Warmth, these people cannot pretend Ignorance, and if they Shall then continue on the Lands it will be their own fault if any thing happens, and repeated his Entreaties to the Governor to take every measure in his power to prevent the settlement of those Lands, for it will certainly bring on another Indian war."

The Governor informed Teedyuscung that he had the other day received Some information of this Matter, and that as the Justices of the peace were holding a Court at Easton, he ordered the Sheriff and some of the said Justices to go to the place where it is said these New England Men are settling, and if they find any people settling to let them know they are sent by this Government to warn them of, and show them the bad Consequences that would ensue on such an Encroachment on Lands belonging to the Indians

and the Proprietaries, and forthwith to report what they find doing, that proper measures may be taken to prevent it.

Teedyuscung further desired that he might be made acquainted with whatever is doing of this sort, for if the Governor can't the Indians will put a Stop to it, and he was answered that he should certainly be informed of it.

At a Council held at Philadelphia, on Thursday, the 25th Septem^{r} 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esqr Lieutenant Governor.

Benjamin Shoemaker, Richard Peters, } Esquires.
Lynford Lardner, Thomas Cadwalader, }

A Bill presented yesterday to the Governor for his Concurrence, Entituled "an Act for appointing Agents to apply for and receive the distributive Shares, and Proportions of the Monies which have been or may be Granted to His Majesty's Colonies in America," was read, and the following Amendments were made thereto:

"*Amendments to the Bill Entituled 'an Act for appointing Agents to apply for and receive the distributive Shares and proportions of the Monies which have been or may be granted by Parliment to his Majesty's Colonies in America, which are or shall be assigned to this Province.'*

"Page 3, Last line, and so throughout the Bill. Instead of [Robert Charles] say [Messieurs David Barclay, Jr., and John Barclay, Merchants in London].

"Page 5, Line 10. After the word [People] say [of this Province].

"Page 5, Line 11. After the word [House] say [agreed to and signed by the Governor of this Province, for the time being].

"Page 6, Line 12. After the word [being] say [with the Consent of the Governor of this Province, signified in writing and not otherwise].

"Page 7, Line 8. After the word [shall] say [from time to time].

"Page 7, Line 12. After the word [accounts] say [and a Committee of the Council of this Province, to be appointed for that purpose by the Governor, and not otherwise.

"25th September, 1760."

On the next day the House returned the Bill, with the following Answer:

"Answer of the House to the Governor's Amendments on the Bill entituled 'An Act for appointing Agents to apply for and re-

ceive the distributive shares and Proportions of the Monies which have been or may be granted by parliment to his Majesty's Colonies in America, which are or Shall be assigned to this Province.'

"Page 3, last Line. The House adhere to the Bill.

"Page 5, line 10. The House agree to the Governor's Amendments.

"Page 5, line 11. The House adhere to the Bill, as the whole Money, whenever the Bill is enacted into a Law, is thereby appropriated to the Sinking the Bills of Credit of this Province, and cannot be used for any other Purpose whatsoever, but by an Act of Assembly.

"Page 6, Line 12. The House adhere to the Bill for the Reasons alledged above.

"Page 7, Line 8. The House agree to the Governor's Amendment.

"Page 7, Line 10. The House adhere to the Bill, Because the Council, or a Committee of Council have never been admitted to join the Committees of Assembly in sinking our Bills of Credit, as we have no Controul over them, and they are no part of the Legislature, and the admitting them as the Governor proposes, is contrary to the constant usage of this Province."

On the 29th the Governor returned the Bill to the House with the following Reply to the Answer of the Assembly to the Governor's Amendments to the Bill Entituled "an Act for appointing Agents to apply for and receive the distributive Shares and proportions of the Monies which have been or may be granted by Parliment."

"Page 3, line the Last. The Governor agrees that the name [Robert Charles, Esqr] stand in the Bill, but adheres to the other part of his Amendments.

"Page 5, Line 11. By the several Acts passed in this Province, for Granting supplies to the King, the Governor hath a Concurrent power with the Commissioners therein appoint'd in the disposing of all the money so granted, &^{ca}.

"Page 6, Line 12. The share or proportion of the money alotted to this Province by the Lords of the Treasury, pursuant to the power lodged in them by Parliment, and which, by the present Bill, is to be invested in the publick funds, is expressly given to the whole legislature and not to any one branch of it.

"Page 7, Line 12. The Governor, therefore, as one branch of the Legislature, being intrusted jointly with the Assembly in the disposition of that Money, conceives he hath a right and that it is his particular duty to see the same regularly drawn for, and the Bills of Credit arising from the Sale of those draughts sunk and destroyed agreeable to the intention of the Bill now under Consideration, And this, he apprehends, cannot be so effectually done as by his appointing with the Assembly proper persons to apply for and receive the money in England. Joining with the House in direct-

ing when and in what manner the money shall be drawn for, and in nominating proper persons on his behalf to see the Bills of Credit sunk and destroyed agreeable to the directions of the Bill.

"The Governor never contended that the Council was a part of the Legislature of this Province, nor is it by any means implied in his having named a Part of them as a Committee to receive and attend the sinking of the Bills of Credit. The Assembly, it is true, should this Bill pass into a Law, would have no power over the Committee proposed by the Governor; Nor, on the other hand, would the Governor have any Controul over the Committee of Assembly. He is not, however, tenacious that Such a Committee should of necessity be members of Council, and since he finds the Assembly hath an exception hereto, He will so far recede from the proposed Amendment as to Consent to the razing the words [a Committee of the Council of this Province], and instead thereof to insert the words [three persons]; to the rest of the Amendments the Governor adheres."

The two following Letters from General Amherst, giving an Account of his Embarking the Army at Oswego, and his Success at the Isle Royal and Montreal, were read and order'd to be enter'd:

"River St. Lawrence, below the Isle Royale,
26th August, 1760.

"Sir:

"On the 10th Instant I Embarked the Army, and proceeded with the same across Lake Ontario into this River, Where, on the 16th, in the Evening, off Oswegathie, the advanced Guard descried One of the Enemy's Vessels; but it being soon after duskish, Nothing Could be Effected that Night, tho' we tryed as much as possible to Attack her. At break of day on the 17th, our Row Galleys engaged her, and by Seven in the morning She Struck. Her Name was the Ottawawa, mounting ten twelve pounders and One Hundred Men, Officers included, besides Monsr de la Broquere, who commanded her in the Engagement. We had only One Man killed and another wounded, and the Enemy thirteen of both.

"The Army, which the preceding Night had Encamped on the point du Barit, then moved down to Oswegatchie, a very good Indian Settlement, with a Blockhouse Fort, but Abandoned, the Enemy being posted on an Island between four and five Miles further down the River, Where they were reported to be very strongly fortified. Both Shores were Reconnoitered during the Night and early the next morning; and the Engineers having reported to me the Situation of the Coast and Islands nearest the Fort, immediately on the return of the Engineers on the 18th, a part of the Army passed down on each Coast, and after some opposition, by a Smart Cannonading, the Fort was compleatly Invested, so that none of its Garrison could make its Escape. The four following days were employed in raising my Batteries, which being finished, on the

morning of the 23d, in Concert with our shipping, I began to fire on the Fort, which lasted till yesterday afternoon, when the French beat a Parley, desiring to know what terms should be granted them. My answer was, that the Garrison should be Prisoners of War; that every thing in and depending on the Fort should be deliver'd in its present State; and that I gave them only ten Minutes to Accept of or dissent from these proposals. They Accordingly Yielded to these Conditions; and I have the Satisfaction to inform you that his Majesty's Troops are now in possession of Fort Levis.

"Our loss upon this occasion has been very inconsiderable; that of the enemy (whose Garrison consisted of about Three Hundred Men) about twelve Killed and Forty wounded. Monsr. Pouchot, the same Gentleman that was last Year taken at Niagara, Commanded them.

"I am, with Great regard, S^r.,
"Your most Obed^t. Humble Servt.,
"JEFF. AMHERST."

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"CAMP OF MONTREAL, 9th Sept., 1760.

"Sir:

"In mine of the 26th Ultimo, I Acquainted you with the progress of the Army after their departure from Oswego, and with the success of his Majesty's Arms against Fort Levis, now Fort William Augustus, Where I remained no longer than was requisite to make such preparations as I judged Essentially neeessary for the passage of the Army down the River, which took me up 'till the 30th.

"In the morning of the following day, I sat out and proceeded from station to station, to our present Ground, Where we arrived on the 6th, in the Evening, after having, in the passage, Sustained a loss of Eighty-Eight Men drowned, twenty-Nine Batteaus of Reg^ts. Seventeen of Artillery, with Some Artillery and Stores, Seventeen Whaleboats, and One Row Galley Staved, occasioned by the Violence of the Current, and the Rapids being full of broken Waves.

"The Inhabitants of the Settlements I passed thro' in my way hither, having abandoned their Houses and run into the Woods, I sent after them; some were taken, and others came in of their own Accord. I had them disarmed and Caused the oath of Allegiance to be tendered to them, which they readily took, and I accordingly put them in quiet possession of their Habitations, with which treatment they seemed no less surprized than happy.

"The Troops being formed, and the Light Artillery brought up, the Army lay on their Arms the night of the 6th.

"On the 7th, in the morning, two Officers came to an Advanced Post, with a Letter from the Marquis de Vaudreuil, referring me to

what One of them, Colonel Boquinville, had to say. The Conversation ended with a Cessation of Arms till twelve o'Clock, When the proposals were brought in; soon after, I returned them, with the terms I was willing to grant, which both the Marquis de Vaudreuil and Monsr. de Levis, the French General, were very Strenuous to have softned; this Occasioned Sundry Letters to pass between us during the day, as well as the Night, (when the Army again lay on their Arms), but as I would not, on any Account, deviate in the Least from my Original Conditions, and Insisted on an Immediate and Catagorical Answer, Monsr. de Vaudreuil, soon after day break, notified to me that he had determined to Accept of them, and two Setts of them were accordingly signed by him and me, and Exchanged yesterday, when Colonel William Haldiman, with the Grenadiers and Light Infantry of the Army, took possession of one of the Gates of the Town, and is this day to proceed in fulfilling the Articles of the Capitulation, by which the French Troops are all to lay down their Arms, and not to serve during the Continuance of the present War, and are to be sent back to old France, as are also, the Governor and principal Officers of the Legislature of the Whole Country, which I have now the Satisfaction to Inform you, is entirely yielded to the dominion of His Majesty, on which Interesting and happy Event I most sincerely Congratulate you.

"Governor Murray, with the Troops from Quebec, landed below the Town on Sunday last, and Colonel Haviland with his Corps (that took possession of the Isle au Noix, abandoned by the Enemy on the 28th), Arrived yesterday at the South Shore opposite to my Camp.

"I am with great Regard, Sir,
"Your most Obedt. Humble Servt.,
"JEFF. AMHERST."

At a Council held at Philadelphia, on Friday the 3d of October, 1760.

"PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Benjamin Shoemaker, Benjamin Chew, } Esquires.
Richard Peters,

The returns of the Sheriffs and Coroners for the several Counties were read, and the following persons were elected by the Governor, and Commissions made out for them.

Samuel Morris, Sheriff, } Philada. City & County.
Peter Robison, Coroner, }

Joseph Thornton, Sheriff, } Bucks County.
William Buckanon, Coroner, }

Benjamin Davis, Sheriff, Joshua Thompson, Coroner,	Chester County.
William Smith, Sheriff, Matthias Slough, Coroner,	Lanc^{r} ditto.
Zachariah Shugart, Sheriff, William King, Coroner,	York ditto.
Ezekiel Smith, Sheriff, Robert Rob, Coroner,	Cumberland ditto.
Jacob Weaver, Sheriff, Jacob Kern, Coroner,	Berks County.
Jno Moore, Sheriff, Jno Vanetton, Coroner,	Northampton.
Thos Dunn, Sheriff, James Walker Coroner,	New Castle.
William Rhodes, Sheriff, Jabez Jenkins, Coroner,	Kent County.
Joseph Shankland, Sheriff, David Shankland, Coroner,	Sussex.

At a Council held at Philadelphia, Wednesday 15th October, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Richard Peters, Esquire.

A Message was deliver'd to the Governor yesterday by Eight Members, acquainting him that a Quorum of the House was met and had chosen their Speaker, and the Governor by the Secretary having the Attendance of the House in order to present him, the whole House attended and presented Isaac Norris, Esqr as their Speaker, who was approved by the Governor, and made the usual Claims and requests for Privileges, &^{ca} which were granted.

A Return of the Proceedings of a Court of Oyer and terminer, held at this City on the 23d of September last by William Allen, Lawrence Growden, and William Coleman, Esquires, the Judges of the Supreme Court, was read, whereby it appeared that Jno Bruleman, Jeweller, was tryed and convicted for the Murder of Robert Scull, and sentence of death pronounced against him. The Attorney General related the particulars that were given in evidence on the tryal, and Nothing having been represented either by the Judges or the Attorney General in his favour, a Warrant issued for his Execution on Wednesday next.

The Governor laid before the House a Letter of General Monckton's, of the 26th September last, with a Message which should have been enter'd here, but are entered in the next Leaf.

[This is enter'd here by mistake.]

At a Conference with Teedyuscung on the 13th day of November, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Richard Peters, Esquire.

Teedyuscung waited on the Governor and produced a Letter from Sir William Johnson to him, dated Fort Johnson, 1st March, 1760, in these words:

"FORT JOHNSON, March 1st, 1760.

"Brother Teedyuscung:

"His Majesty, King George, having, in consequence of what passed at the Conferences in July and August, 1757, at Easton, taken into Consideration your Complaint, then made, Concerning Lands which you alledge you have been deprived of without your consent, or satisfaction made you for the same, and out of his Great Goodness and regard to Justice, which he is remarkable for, as well as his Love for his Children, the Indians, has ordered me to examine thoroughly into the said Affair, and when I have made a full and particular Enquiry into the Circumstances of the case, and hear what all partys may have to offer, to transmit to him my proceedings in this Business.

"In obedience, therefore, to his Majesty's Command, I do now take the earliest opportunity by your Son, who is the Bearer of this, acquainting you with his pleasure, and I desire to know when a Meeting with you and such Delawares or others as are concerned in the affair may be had for that purpose; also where it may be most convenient for you and them to meet me. The sooner I know this the better, that I may give notice to the Proprietaries' Commissioners to attend, and that it may not interfere with my Military Duty the ensuing Campaign, in which I hope and expect you and your Nation will, in return for his Majesty's Kind Intentions towards you, be ready to act a Brother-like part against his enemies when called upon.

"I am your well-wisher and Sincere Brother,
"WILLIAM JOHNSON.

"To TEEDYUSCUNG, Chief of the Delawares."

He told the Governor that this Letter was brought to him by his son, just as he was setting out for Citsintsing, and in an Angry kind of a Tone, said he would have nothing to do with Sir William Johnson; he did not incline that the matter should be heard by him, but desired it might be heard by the Governor. The Governor

made answer that it was referred to Sir William Johnson by the King, on his petition preferr'd to his Majesty by the Assembly. Teedyuscung replied, that he knew it to be so, but for all that he should not chuse Sir William Johnson should have any thing to do with it, and repeated his request to the Governor to hear it himself; to which the Governor made Answer, that since this was his request, and he was so very earnest in it, he would take it into Consideration; but then as he was informed that the Lands about which the Complaint was made, did belong formerly to distant Indians, some living on the Sasquehannah, and others to the Westward of the Ohio, he did insist with Teedyuscung that all these Indians should be informed of, and agree to his proposal, and attend the Treaty. Teedyuscung replied, that this was right, and assured the Governor that this Matter had been talked of at the Ohio, with Chingas and other Indians who were interested in these Lands, who thought as he did, and promised to be at Philadelphia in the spring.

After a Short pause, he took some Wampum out of his Pocket, consisting of Four Strings, two White and two Black.

And then acquainted the Governor that the White part was sent from Secaugheeeny, to inform him that a party of Indians came there to Council, and produced in Council a Belt from the French, desiring their Assistance against the English, who had beat them, but they declined having any thing to do with it, and sent the French Belt forward to Teedyuscung, and thereupon he came down to inform the Governor about it; he added that the Governor was his Ear at Philadelphia, and he was the Governor's Ear at Wyomink, and it was all one as if the Governor himself was there.

A string.

Teedyuscung enquired earnestly of the Governor what he had done about the settlement of the New England People that he had informed him of the last time he was in Town. The Governor acquainted him that the Sheriff and Magistrates of Northampton County were returned from Cushatunk, and had made their report to him that they found about Twenty Families from Connicticut there, who said they had good Deeds from some Jersey Delaware Indians for those Lands, and would settle them, but he would not suffer it, and take the best measures in his power to have them removed. Teedyuscung replied, that the Indians were very uneasy, and would certainly turn them away if he would not; as to Deeds from Jersey Indians, that must be a pretence; those Indians would not give deeds.

At a Council held at Philadelphia, the 15th October, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Richard Peters, Esquire.

The Governor laid before the Council a Letter from General Monckton, together with a Message he had prepared to send to the Assembly, which were accordingly sent by the Secretary, and are as follows:

A Letter from General Monckton to the Governor.

"FORT PITT, September 26th, 1760.

"Sir:

"I was honoured with your Letter of the Eighteenth Inst. yesterday evening, and have been favoured from Mr. Peters, with Copies of your Message to the Assembly, and their answer.

"By the Letter I am sorry to find that there is a likelyhood of my, so necessary a Requisition, meeting with so much difficulty, but as I had the honour, in my former Letter, Sir, of acquainting you with the urgent necessity there will be for keeping up at least a Body of Four Hundred of the Pennsylvania Troops, to assist in Garrisoning the forts in this department for the ensuing Winter; and as the great and near concearn the Province of Pennsylvania has in the preserving these posts, must be so clearly evident to every Member of your Assembly, any thing further on my part must be needless to induce them to Comply with it, if their own Interest will not Sufficiently point out to them the necessity.

"I am, therefore, Sir, hopeful that upon a mature Consideration of your Message, which so fully sets forth the publick and their own Interest for such a Measure, that the new Assembly will enable you to raise the Men required.

"I have the honour to be, Sir, with much Esteem,

"Your obedient and Hble. Servt.,

"ROBERT MONCKTON."

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A Message from the Governor to the Assembly.

"Gentlemen:

"Pursuant to the requisition of his Excellency General Monckton, I applied to the late House of Representatives at their last meeting, That Four Hundred of our Provincial Soldiers, with Officers in proportion, might be Immediately re-inlisted at the Charge of the Province, to serve for Winter Garrisons at the several Posts

he had thought necessary to be taken for supporting his Majesty's right on Lake Erie and the River Ohio, and also, at the Forts Augusta and Allen.

"But the said late House of Representatives being then on the Point of Dissolution, did decline acceding to the proposed Measure at that Time, and referred the Consideration of it to the next succeeding Assembly.

"As, therefore, you Gentlemen are now met in Consequence of a new Election, and consist nearly of the same Members as before, it is my Duty, and I do accordingly press it upon you to reconsider this Matter with the Attention it deserves, and enable me to comply with the General's Requisition, still lying before you; And I do this with the greater Confidence of Success, as you are sensible that our Levies of Men for the present Campaign, fell greatly short of the Number provided for by the late Act for granting a supply to his Majesty.

"You will permit me further to recommend to you the greatest dispatch in your Deliberations on this subject, that the General may no longer remain in a State of Uncertainty, but be advised as soon as possible of what he hath to depend upon from us, the necessity of which will evidently appear when you call to mind that the Time of Service of the Troops in the pay of this Province will determine on the Twenty-fifth of the next Month, a period full short either for re-enlisting the Men, should you consent to that Measure, or providing by any other Means for this important Service, in case you should refuse it, which I am in hopes is far from your thoughts.

"I herewith lay before you a Second Letter I have received from General Monckton on the same subject.

"JAMES HAMILTON.

"October 15th, 1760."

On the 17th October, the Assembly's Answer to the above Message was deliver'd by two Members in these words:

A Message from the Assembly to the Governor.

"May it please your Honour:

"When we take a view of the favourable Change of Circumstances in the Military Operations in this part of America since the date of General Monckton's first Letter, we apprehend, however necessary and reasonable his requisition of four Hundred Men, to Garrison the Western Fortifications, might appear at that Juncture when the reduction of Canada was uncertain, and a Draught of the Regulars from that Quarter might be dangerous, that necessity and reason by such change must be in a Great Measure diminished if they subsist at all; all Canada is now reduced, her subjects have submitted, and taken the Oaths of Allegiance and Fidelity to the

English Government; Her regular Forces either are or will soon be transported to Old France; And there remains no employment that we can perceive, or are made acquainted with, for the Regular Troops in the pay of the Nation, but to Garrison during the Winter the Forts and Posts that may be necessary to preserve his Majesty's Rights, for which purpose we have reason to Conclude from these Circumstances, there is a very sufficient Number without laying an unnecessary Burthen on this Colony; Besides, our predicessors in Assembly having exerted to the utmost the Abilities of this young Colony in order to Comply with his Majesty's requisition at the Commencement of the Year, from the terms of which We had no reason to believe new aids would be required until another Year; We think it cannot be reasonably expected that we Should at this unusual Season for granting supplies, accede to the Measure proposed by General Monckton, for without Striking a further Sum in Bills of Credit, and new Impositions of Taxes on the people to sink them, this requisition cannot be complied with as we have been taught by the Experience of several preceding Years, and the Load of debts they have left on the Publick that the Sum of Money now remaining in the Treasury undisposed of will Scarcely be sufficient to pay the Troops and defray the usual and Common Exigencies of the present Year.

"But were We convinced of the Expediency of the Measure proposed, and was there a Sufficient Sum of the Bills of Credit lately Struck in the hands of the Trustees, yet we have very prevalent Motives to dissuade and indeed deter us from a Compliance at this time. The Two last Assemblies, zealous to show their Loyalty to the Crown, and their sincere Attachment to their Mother Country, in pursuance of his Majesty's Gracious Requisition, did grant the most generous Aids that could be justly expected from them.

"These Supplies were directed by the Laws to be levied in the most equitable and easy manner to every person concerned, and in Order to answer the present Emergencies of the Crown, Bills of Credit were Struck to the Amount of Two Hundred Thousand Pounds. These Bills have since been received by the Servants of the Crown, and by them passed to the people for their full and legal Value, and yet we have received good Information that by an Opposition given to the Value of the Bills of Credit, entirely depend, it is with many other reasonable Laws reported against by the Lords of Trade, as a proper Object for our most Gracious Sovereign to exercise his Royal prerogative of Repeal upon; Should this be the Case with the first, we have no Reason to believe a better Fate will attend the Last, as they are conceived in very much the same Terms. And should his majesty be pleased, in Pursuance of this Report, to repeal them both, not only the Bills of Credit now in Public Fund, but the Whole Sum of Two Hundred Thousand Pounds, will be render'd of No Value, the Consequences of which would be too fatal and distressing to the people we represent, for

us to think of involving them in new difficulties untill the fate of those Bills shall be determined.

"Signed by Order of the House.

"ISAAC NORRIS, Speaker.

"October 17th, 1760."

And at the same time they acquainted the Governor that the House inclin'd to adjourn to the 5th Instant, to which he had no Objection.

Mr. Charles Moore, Clerk of the house, laid before the Governor, by Order, as he said, of the House, Copies of certain Resolves of Assembly, appointing Benjamin Franklin and Robert Charles, Esquires, Agents of this Province for the ensuing Year, and requested that the same and his Oath to the truth thereof might be Certified under the Great seal. The Governor having read the Copies, objected to their being Certified by him, and told the Clerk he should put down his Objections in writing, and send them to the House, and thereupon drew up the following Message, which was Sent immediately by the Secretary to the House:

A Message from the Governor to the Assembly.

"Gentlemen:

"The Clerk of your House having presented to me by your Order, Certain Resolves of the House of Representatives for Continuing and appointing Benjamin Franklin and Robert Charles, Esquires, Agents for this Province, to sollicit and transact the Affairs thereof in Great Britain, in pursuance of the powers and Instructions given to the said Benjamin Franklin by the last Assembly, and of such further Instructions as may hereafter be given him by your House, and desired that I would be pleased to certify the same under the great Seal of the Province, I have declined to comply with his request and think it necessary to acquaint you with my Motives for so doing.

"I am entirely ignorant, Gentlemen, and have not any desire to know what Instructions the last or present Assembly may have given to their Agents, nor have I the least Intention to deprive you of the Means or Opportunity of appointing as often as you think fit, one or more Agents to sollicit or transact your Affairs in Great Britain.

"But as I likewise know not but you may have given Instructions to your Agents to apply for and receive from the Lords of the Treasury under these General Powers of Agency the distributive Share of the Money allotted to this Province in Virtue of the late Parlimentary Grants, and as I am sensible that my right both in respect for receiveing and disposing of the said Money is equal to and concurrent with yours, I am not satisfied by any Act of

mine to enable Persons merely of your Appointment to transact that Business without joining to them an equal Number of my own Nomination.

"If, nevertheless, you will consent that your Powers of Agency shall contain an express prohibition to the said Benjamin Franklin and Robert Charles, or either of them to receive the said Money, or any part of it from the Lords of the Treasury, or elsewhere, or in any manner to intermeddle with it without a Law being first made for that purpose, or without the Consent and Approbation of the Governor of this Province for the time being, signed in writing, I shall then be ready and willing to certify your powers of Agency agreable to your request.

"JAMES HAMILTON.

"October 18th, 1760."

November 13th, 1760. A Conference was held with Teedyuscung, which by mistake, is entered three leaves before.

MEMORANDUM.

6th January, 1761. A Message from the Assembly to the Governor, that the House was met according to Adjournment, and ready to go on Business.

January 8th, 1761. The Governor sent the following Message to the House by the Secretary:

A Message from the Governor to the Assembly.

"Gentlemen:

"The Troops raised by this province for the Service of the last Campaign, have for the most part been paid off and discharged, pursuant to the Law by which they were levied, and that as nearly agreeable to the time limited by the Act as from my best Information the Circumstances of his Majesty's Service would permit.

"Of the whole Number that was raised, there yet remain near One hundred and Fifty men undischarged, of which, about One-half were employed in transporting provisions from Niagara, and in Garrisoning the Forts at Presque Isle and La Beuf, till they could be relieved by Detachments from the Royal Americans, which, from the thinness of that Regiment and Extensiveness of the Duty, not having been done so soon as was expected, they could not therefore march down at the same time with the rest of the Provincials.

"I am now in daily Expectation of hearing of their Arrival in the Settled parts of the Province, in Order to their being paid off

and discharged; and, as from the Necessities of the Campaign they have been detained by the Commander-in-Chief longer than the Act of Assembly makes provision for, I am in hopes you will agree with me in thinking it not unreasonable that they should receive a recompense for their Additional Service, and be paid up to the Time of their Actual Arrival at the place appointed for their discharge, provided that no Negligence or dilatoriness on their March, or other Default, shall appear to have been Committed by them.

"With respect to the remainder, who are still in Garrison at the Forts, Augusta and Allen, I thought it would be most agreeable to you, as Well as benificial to the publick, that They should not be disbanded before the time of your meeting, when, on taking into Consideration the Situation and Circumstances of the Province, you might come to some certain Determination with regard to the Number of Troops that may be proper to be kept up at one or both of those Posts; For I am perswaded, Gentlemen, that notwithstanding the happy Event of the Reduction of Canada to his Majesty's Obedience, you will scarcely think it expedient to slight or abandon the important Fortress of Augusta, at least during the Continuance of the War.

"I am therefore, Gentlemen, to request that you will take the Matters now mentioned to you into serious Deliberation, and impart to me, as soon as with Convenience you can, the Resolution you shall come to thereupon.

"JAMES HAMILTON.

"January 8th, 1761."

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January 9th, 1761.

The Governor laid before the House a Letter received on Munday last from Mr. Jn°. Pownall, Secretary to the Lords of Trade, dated 29th October last, wherein he acquaints the Governor that in Consequence of the melancholy Event of the King's death, on the 25th of that Month, he was directed by the Lords of Trade to take the Opportunity by the Packet of acquainting him that the necessary Forms for proclaiming his present Majesty in the Colonies, together with Warrants for using the old Seals, proclamations for Continuing Officers in their Employments, Orders for Alteration of the Litergy, &c., were preparing, and would be transmitted to himself and the other Governors in America in a few days.

The same day the Governor received from the Assembly the following Answer to his Message of yesterday, with a Verbal Message, that as it might be some time before the Forms mentioned in Mr. Pownall's Letter for Proclamaing the King might arrive, they were Inclined to adjourn to the 28th Instant, to which the Governor made no objection:

A Message from the Assembly to the Governor.

"May it Please your Honour:

"We return you our hearty Thanks for the Care you have taken in disbanding the Troops raised by this Province for the Service of the last Campaign, in pursuance of the Law by which they were levied.

"We have seriously deliberated on your Proposals that We should pay the Troops detained at Fortes Presque Isle and La Beuf longer than the time limited by Law, and that of keeping up Garrisons at Augusta and Allen; but when we consider the great Opposition which has been lately given to the most generous and loyal Aids, granted by our predecessors for the Defence of the British Colonies in America, that those aids were granted to his late most gracious Majesty at his special Instance by his Secretary of State, when we reflect on the Success which that Opposition has met with, and the precarious Circumstances to which the Bills of Credit struck made Current, and in a great Measure issued by the last supply Bill passed by your Honour, are thereby reduced, we cannot think of entering into any new Engagements which may oblige us to strike more Bills of Credit, or even to issue more of those in the Fund than are absolutely necessary, and thereby involve the people we represent in still greater Difficulties.

"If, may it please your Honour, the people of Pennsylvania have any Privileges at all, that of granting Aids to the Crown in such manner as shall appear to them just and reasonable, is their undoubted right. This privilege we hold it our indispensable Duty, as far as in us lies, to preserve Sacred and inviolate; And however our predecessors have been heretofore Obliged, through the most pressing Necessity, when the Cruellest Devastations was in the Land, and his Majesty's Colonies in imminent Danger, to wave it for a Time, yet, now that Necessity is removed, we cannot consent to impose fresh Burthens on the people, without some Probability, at least, that the unjust Opposition which the Supplies heretofore granted, have met with, will be waved, and the Aids offered accepted. We dare not, Sir, issue Bills of Credit to the Subject as bills of real value, when their value is most uncertain and precarious.

"These reasons, may it please your Honour, prevail on us at present to decline acceding to either of Your proposals of paying the Troops detained by the General, longer than the Time limited by the Law, or of Supporting Garrisons in the Forts Augusta and Allen; but as you have thought it expedient to keep up the Latter 'till now, we are desirous you Should fulfil your engagements with them, and pay them off to the time of their Discharge, which we request may be with all convenient Speed.

"Signed by Order of the House,

"ISAAC NORRIS, Speaker.

"January 9th, 1761."

At a Council held at Philadelphia, on Wednesday, the 21st of Jannary, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor.

Benjamin Shoemaker,	Joseph Turner,	} Esquires.
Richard Peters,	Lynford Lardner,	
Benjamin Chew,	Thos Cadwalader,	

The Governor having received from the proprietaries on Munday, by the Foy Man-of-War, a Letter directed to them from the right Honourable The Lords of the privy Council, Notafying his late Majesty's death, and inclosing a form for proclaiming his present Majesty, and likewise a Royal Proclamation for the Continuance of Officers in America, together with the Royal Order and Instruction for the Alteration of the Litargy, the same were read. The Judges, Magistrates, Gentlemen in publick Office, and other principal Inhabitants having Assembled at the Governour's House agreeable to notice, proceeded to the Court House in the following Order, vizt:

The Governor between the Mayor and Recorder.
The Chief Justice and Members of Council.
The Members of Assembly.
The Clergy and the Magistrates.
The Common Council.
The Merchants and Other Gentlemen Inhabitants of the City.

The Governor and Company being arrived at the Court House, they were received by all the Officers of the Army now in Town, together with a party of the Royal Welsh Volunteers under Arms, Commanded by Capt. Hining, who were drawn up in the front of the Court House, and the aforesaid Declaration was read before a vast concource of people, and being ended, the most universal Joy was testified by the Acclamations of all present, the discharge of the Fort Guns, three Vollies of small Arms from the Royal Welsh, the Ringing of Bells, &$^{ca.}$, &$^{ca.}$, &$^{ca.}$

The Governor, Council, Magistrates, and a great many Citizens having signed the said declaration in Testimony of their hearty acceptance thereof, a Proclamation for the Continuance of Officers was published.

A Letter from the Lords of the privy Council to the Proprietaries.

"After our hearty Commendations, It having pleased Almighty God to take to his Mercy, out of this troublesome Life, our late Sovereign Lord King George the Second, of Blessed and Glorious Memory, and thereupon his Royal Majesty King George the Third being here proclaimed, We have thought fit to signify the Same to

you to the end, that you do give immediate Direction for Proclaiming His most sacred Majesty King George the Third in the Prvoince of Pennsylvania, according to the Form here inclosed, with the Solemnities and Ceremonies requisiteon the like Occasions; And you are also to give the like Directions for publishing and Proclaiming a Proclamation herewith transmitted to you for Continuing the Officers in his Majesty's Plantations till his Majesty's pleasure shall be further signified; And so not doubting of your ready compliance herein, We bid you heartily Farewell. From the Council Chamber at Leicester house, the 31st day of October, 1760.

"Your loving Friends,

"THO. CANT,
"Granville, P. Temple 6 Ps.,
"GOWER,
"DENBIGH,
"DUNK HALIFAX,
"SJ. NUGENT.

"To our Loving Friends, Thomas and Richard Penn, Esq^rs, Proprietaries of the Province of Pennsylvania."

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A Declaration proclaiming King George the 3d.

"WHEREAS, it hath pleased Almighty God to call to his Mercy our late Sovereign Lord King George the second, of Blessed and Glorious memory, by whose Decease the Imperial Crown of Great Britain, France, and Ireland, as also the Supreme Dominion and Sovereign Right of the Province of Pennsylvania and the Three Countys of New Castle, Kent, and Sussex on Delaware River, and all other his late Majesty's Dominions in America are solely and rightfully come to the High and Mighty Prince George Prince of Wales. We, therefore, *Therefore* the Deputy Governor and Council with Numbers of the principal Inhabitants of this Province, Do now hereby with one full Voice and Consent of Tongue and heart, Publish and Proclaim that the High and Mighty Prince George, Prince of Wales, is now, by the Death our late Sovereign of happy and Glorious Memory, become our only Lawfull and Rightfull Leige Lord George the Third, by the grace of God, King of Great Britain, France and Ireland, Defender of the faith, Supreme Lord of the said Province of Pennsylvania, and of three Counties of New Castle, Kent and Sussex, and all other his late Majesty's Territories and Dominions in America; To whom We do acknowledge all Faith and Constant Obedience with all hearty and Humble Affection, Beseeching God, by whom Kings and Queens do reign, to bless the Royal King, George the Third, with long and happy years to reign over us. Given at Philadelphia, the 21st day of January, in the year of our Lord 1761.

"GOD SAVE THE KING."

The Proclamation for continuing of Officers.

"GEORGE R.

"WHEREAS by an Act of Parliament made in the sixth year of the late Queen Anne of blessed Memory, Intituled 'An Act for the Security of her Majesty's Person and Government, and of the Succession to the Crown of Great Britain in the Protestant Line, it was Enacted, among other things, That no Office, place, or Employment, Civil or Military, within any of her said late Majesty's Plantations should become void by reason of the Demise or Death of her said late Majesty, her Heirs or Successors, Kings or Queens of this Realm, but that the person and persons in any of the Offices, Places, or Employments aforesaid should Continue in their respective Offices, Places and Employments for the space of Six Months next after such Death er Demise, unless sooner removed and discharged by the next in Succession to Whom the Crown of this Realm shall come, remain and be according to the Several Acts of parliment for limiting and settling the Succession of the Crown as by the Said recited Act may appear. And in regard it may happen that our pleasure may not within the said time be declared touching the said Offices, Places and Employments in our foreign Plantations, whch will at the end of the said Six Months become Void, We, for preventing the Inconveniencies that may happen thereby, in our princely Wisdom and Care of the State (reserving to our Judgment hereafter the Reformation and Redress of any Abuses in the Execution of any such Offices, Places, and Employments, upon due Knowledge and Examination thereof), have thought fit, with the Advice our privy Council, to Issue this our Royal Proclamation, and do hereby order, Signify and Declare that all Persons at the time of the Decease of our late Royal Grandfather King George the Second, of Glorious Memory, were duly and Lawfully possessed of, or invested in any Office, Place, or Employment, Civil or Military, in any of our Plantations, and which have not been since removed from such their Offices, Places, or Employments, shall be And shall hold themselves continued in the said Offices, Places, and Employments as formerly they have held and Enjoyed the same, until our pleasure be further Known, or other provision be made pursuant to the Commissions and Instructions of our said late Royal Grandfather to his Governors and Officers of the Plantations aforesaid; and that in the mean time, for the Preservation of the Peace and necessary proceedings in Matters of Justice, and for the safety and Service of the State, all the said persons, of whatsoever Degree or Condition, do not fail, every one severally, according to his Place, Office, or Charge, to proceed in the performance and Execution of all Duties thereunto belonging, as formerly appertained unto them during the Life of our said late Royal Grandfather. And further we do hereby Will and Command all and Singular our Subjects in the said plantations, of

what Estate or Degree they or any of them be, to be aiding, helping, and assisting at the Commandment of the said Officers, in the Performance and Execution of the said Offices and Places as they Tender our displeasure, and will answer the Contrary at their utmost Perils.

"Given at our Court at Saville House, the Twenty-seventh day of October, One Thousand seven Hundred and Sixty, in the first Year of our Reign.

"GOD SAVE THE KING."

"At the Court at Saville House, the twenty-Seventh Day of October, 1760.

"PRESENT

"The Kings most Excellent Majesty in Council.

"WHEREAS, by the late Act of Uniformity, which Establisheth the Liturgy and enacts That no form or Order of Common Prayers be openly Used other than what is prescribed and appointed to be used in and by the Said Book, it is notwithstanding provided, That in all those Prayers, Litanies, and Collects, which do any wise relate to the King, Queen, or Royal Progeny, the Names be altered and Changed from time to time, and fitted to the present Occasion according to Direction of lawful Authority. His Majesty was pleased this day in Council, to declare his Royal will and Pleasure, That in all Prayers, Liturgies, and Collects for the Royal Family, instead of the Words [their Royal Highnesses, George, Prince of Wales, the Princess Dowager of Wales, the Duke, the Princesses, and all the Royal Family] be inserted [her Royal Highness the Princess Dowager of Wales, and all the Royal Family], and his Majesty doth Strictly charge and command That no Edition of the Common Prayer be from henceforth printed, but with this Amendment, and that in the mean Time, till Copies of such Edition may be had, all Parson, Vicars, and Curates within this Realm, do (for the prevention of Mistakes), with the pen correct and amend all Such Prayers in their Church Books, according to the aforegoing Direction; and for the better notice hereof, that this Order be forthwith printed and published, and Sent to the Several Parishes, and that the right Reverend the Bishops do take Care that Obedience be paid to the same accordingly.

"F. VERNON."

"GEORGE R.

"*Instruction to our Trusty and Well beloved James Hamilton, Esqr., Deputy Governor of Our Province of Pennsylvania, and the three Counties of New Castle, Kent, and Sussex, on Delaware River, in America, or to the Commander-in-Chief of the said Province for the time being, Given at our Court at Leicester House, the 31st day of October, 1760, in the first year of our Reign.*

"WHEREAS, We have been pleased by our Order in Council of the 27th of October, Inst., (a Copy whereof is hereunto annexed) to declare our pleasure that in all Prayers, Litanies, and Collects for the Royal Family, instead of the Words [their Royal Highnesses, Gorge Prince of Wales, the Princess Dowager of Wales, the Duke, the Princesses, and all the Royal Family] there should be Inserted [Her Royal Highness, the Princess Dowager of Wales, and all the Royal Family]. Our will and pleasure, therefore, is that in all the Prayers, Litanys, and Collects for the Royal Family, to be used within our Province of Pennsylvania, under your Government, instead of the Words [their Royal Hignesses George Prince of Wales, the Princess Dowager of Wales, the Duke, the Princesses, and all the Royal Family] there be inserted [Her Royal Highness the Princess Dowager of Wales, and all the Royal Family]. And for the better notice hereof in our said Province, It is our further Will and pleasure that you cause the same to be forthwith published in the several Parish Churches and other Places of divine Worship within the said Province, and that you take Care that Obedience be paid thereto accordingly.

"G. R."

At a Council held on Friday, the 23 Day of January, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr. Lieutenant Governor.

Joseph Turner, Richard Peters, } Esq^rs.
Benjamin Chew, }

The Governor in Council took the Oaths of Allegiance, Supremacy, and abjuration, and made and Subscribed the Declaration prescribed by act of Parliment, and then administered the same to the above named Members of Council.

On Saturday the 24th January, 1761, the Above Declaration being transcribed, was published at New Castle by the Magistrates and principal Inhabitants, together with the King's proclamation for the Continuance of Officers in America.

January 26th, 1761.

A Message was sent from the Assembly to the Governor that the House was met and ready to take the Qualifications to his present Majesty, in Order to proceed to Business.

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January 27th, 1761.

The Governor thinking it proper for him and the Council to address his Majesty, sent to the Assembly by the Secretary a Message of Condolance and Congratulation, and of his intention to address his Majesty in which they might join if they were inclined:

A Message from the Governor to the Assembly.

"Gentlemen:

"Since your last meeting I have received authentic Advices of the Death of our most Gracious Sovereign, King George the Second, of Glorious Memory, and of the Ascession of his present Majesty, King George the Third, to the Imperial Throne of his Ancestors, with the universal Applause of his people.

"When We reflect, Gentlemen, on the many amiable Virtues which shone forth so conspicuously in the person of our late most Excellent Monarch, when we take a review of his conduct throughout the Course of his long and Glorious Reign, and finding it always directed to the most Noble and Generous Purposes, either of aiding and Supporting his faithful but distressed Allies abroad, or of securing the invaluable Blessings of Civil and religious Liberty to his Subjects at Home, and when in a more especial Manner we call to mind the unfounded Protection he was graciously pleased to extend to these Colonies, ready to be overwhelmed by the Power and Ambition of our enterprising Neighbours on this Continent, it would argue the Greatest Insensibility as well as Ingratitude were we not most deeply affected with sorrow at so deplorable a Loss.

"Nor could any Thing alleviate the Grief which every good Subject must have felt upon this Mournful Occasion, but the Consideration, that the Scepter hath devolved to a Prince whose early Virtues and known Affection to his people and native Country give the most pleasing Assurance that he will pursue with Vigor the same measures and tread the same Steps by which his illustrious Progenitor became formidable Abroad, and belov'd and rever'd at Home.

"Filled with these agreeable hopes, and moved with a Sense of its being our Duty, as well to condole with our new Sovereign on the Death of his late Royal Grandfather, as to Congratulate his Majesty on his own happy Accession to the Throne of Great Britan, the Council and I have resolv'd to transmit an Address to the King to that purpose by the first opportunity that shall offer, and if the

House shall be inclineable to join in the said Address, the same when prepared shall be laid before them for their Consideration.

"JAMES HAMILTON."

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January 28th, 1761.

The Governor sent to the Assembly the following Message in Answer to their's of the 9th Instant:

A Message from the Governor to the Assembly.

"Gentlemen:

"I am sorry to observe by your Message of the Ninth Instant, that I have not been so fortunate as to obtain your Concurrence to either of the two Measures I recommended to you, and the more so as I conceive the honour of the Province may be Affected by your rejecting the first of them, and its safety by your disagreeing to the other.

"Having mentioned in my last Message what seemed to me Necessary at that Time on the Subject of the Troops detained to the Westward, and not being yet so well informed of the real Causes of their long Delay, as to enable Me to speak to you more particularly about it, I shall Content myself at present with saying, that as it is very unlikely to have happened through any default of the Men who are generally to apt too be impatient of the Service, but rather through some unavoidable Accident I shall leave it to them, when they do appear to make their own Application, and doubt not but the Justice of the House will incline them to do what is right upon the Occasion.

"It was with much Concern as well as Surprize that I perused the last part of your Message, in which you declare yourselves against supporting the Garrisons at the Forts-Augusta and Allen, and desire me to discharge them with all convenient Speed. I have, nevertheless, however unlooked for such an Application might be, proceeded to execute your request in part, by having paid off and discharged the Garrison at Fort Allen; but with respect to the other, I hope to be excused for telling you plainly, Gentlemen, that I could not think of taking what appeared to me so dangerous a Step, without offering my Reasons against and Giving you an Opportunity of reconsidering the Case with the attention it deserves.

"You will please to reflect that Fort Augusta is the most advanced, and Indeed the only Post we now have on our Northern Frontiers, and by Commanding both Branches of the River Sasquehanna is admirably fitted, as well to facilitate our Communication and Commerce with our Indian Allies in time of peace, as to briddle them, and protect our Indians in time of War.

"That the Province thought it self very happy in obtaining so easy and quiet a Possession of that important Post without Giving umbrage to the Indians from whom that Land had not been purchased, and that it should now be given up, the regaining of it in Case of any future Rupture with those people, will probably be rendered very difficult from their Experience of its Importance to us and disadvantage to themselves at such a Juncture. That a very great Sum Hath been expended in erecting and finishing the said Fort, and that the same may be now mentained and kept in Repair by a small Garrison of Sixty or Seventy Men, whereas, Should it be abandoned and Suffered to run to Ruin, the Province may shortly again be put to the same or a Much Greater Expence in rebuilding it, not to mention that Since the making the late Law for regulating the Indian Trade, from which such valuable Effects are universally hoped for to the Province, it seems absolutely necessary that some such Post should be mantained, as well for Carrying on the Good Purposes of that Law as to make us respectable in the sight of the Indians, to whom, in case we should now desert it, it is probable we may appear to be guilty of great Levity and Inconstancy in our Proceedings, and as designing to deprive them of the Benefit of an Act said to have been obtained on their own earnest Request, without their having hitherto done any thing that ought to lessen our good Intentions towards them.

"In Addition to all this, Gentlemen, you will likewise please to Consider that we are Still in the midst of a raging War with one of the most powerful Princes in Europe, as also with numerous Tribes of Savages, who are desolating our Provinces to the Southward; and although it has pleased God to favour his Majesty's Arms with an uncommon Course of Success, yet, as the Events of War are ever uncertain and precarious, it is not impossible that some Chance or Accident may still happen in the Course of it to raise the Spirits of the Enemy and those of their Indian Allies, and induce them once more to have Recourse to Arms, more especially if by any Means whatsoever they may be able to draw to their Assistance other Nations of Northern and Western Indians, who undoubtedly do repine, whatever they may pretend at Seeing the Cause of the French brought so low, and Consequently their own Independence into manifest Danger.

"These Reasons, Gentlemen, with many others too long to enumerate, have induced me to defer disbanding the Small Garrison at Augusta, till I might Have the Opportunity of offering them to your Consideration. I am in hopes they will have the same Weight with you that they have had with me, and induce you to Consent to the Supporting of that Garrison, at least till the Conclusion of a peace, when the Dismissing of it will be attended with much less apparent Risque to the Province than at Present.

"In respect to what you are pleased to mention of an unjust opposition having been made in England to your late Supply Bill, and

of the Success it hath met with, I have very little to say. You are Sensible that that Bill, agreeable to the forms of our Constitution, was in the usual Manner presented to that Judicatory which alone had the Right to determine upon it. You also very well know that every Person who thinks himself aggrieved by any bill passed in the Plantations, hath a right to be heard in his own Behalf before It is finally ratified as a Law. This I understand to have been the Case in regard to the Bill you hint at. Both parties were fully and fairly heard upon its merits before the proper and established Judges in the last Resort, and in Consequence thereof his late Majesty was pleased, with the advice of his privy Council, to declare the said bill to be fundamentally wrong and unjust, unless certain Alterations and Amendments were made therein. However proper, therefore, it may be in you to call that an unjust Opposition which has received the Countenance, Approbation, and final Decision in its favour of so august a Judicatory, I shall leave to your own Reflections, without drawing from it those Inferences which Naturally offer themselves upon the Occasion, and Conclude with acquainting you that it is now in your power to take off any further Opposition to that or any other of your Supply Bills by altering and amending them Conformably to the Sentiments of his late Majesty and Council, and agreeable to the Stipulations enter'd into by your Agents in England.

"JAMES HAMILTON.

"January 28th, 1761."

The Governor having, in the absence of the House, received the Report of the Lords of the privy Council upon nineteen Acts of Assembly, passed in the Year 1759, together with his late Majesty's Order of Council & Repeal of six of those Laws, the Same were notified to the Publick by Proclamation and laid before the Assembly.

The Report of the Right Honourable the Lords of Committee of his Majesty's most Honourable privy Council for Plantation Affairs.

"My Lords:

"Pursuant to your Lordships Orders of the 20th of february and 13th of March last, We have taken into our Consideration Nineteen Acts passed in the Province of Pennsylvania in 1758 and 1759, and also a petition of the Proprietaries of the said Province, Complaining of Eleven of the said Acts; and in Compliance with the prayer of that petition, they have been heard by their Council, His Majesty's Attorney and Sollicitor General, who stated themselves as appearing not only in behalf of the Proprietaries, but in Virtue likewise of their Office in Support of the Rights and Prerogatives of the Crown. The said Eleven Acts have, on the

other hand, been supported by the Agent of the Colony on the part of the House of Representatives, who have likewise been heard by their Council, Mr. de Grey and Mr. Jackson.

"And in Order to lay before your Lordships our Opinion in the most concise and perspicuous manner we are able, and to avoid that perplexity which must necessarily arise from a long Detail of Verbal Extracts from such a variety of Laws, containing so many different Regulations, we shall consider them referring to the Laws themselves, to which it will always be more useful for your Lordships to recur if a more particular Satisfaction, and therefore a more minute and Circumstantial knowledge of them, should in any Case be thought necessary.

"But before we take the liberty of stating to your Lordships our Opinion, either upon the General Nature or upon the particular provisions of these Laws, We apprehend it will be necessary for us to remove two Objections which have been opposed on the part of the Assembly to prevent our entering at all into the merits of those Laws, which, by your Lordships have already referred, or which, under the same Circumstances you may hereafter think proper to refer to our Consideration.

"The first of these Objections is derived from a Construction of that Clause in the Royal Charter, by which it is provided that all Laws passed in Pennsylvania shall be transmitted to England, and that if they shall be found to Contain any thing Contrary to the sovereignty or prerogative of the Crown or to the Faith and Allegiance of the Subject, they may, within Six Months, be declared Void by his Majesty; if not, that they shall remain in full force from the express mention of those purposes for which the Negative is here declared to be reserved, it is Contended that the right annulling the Laws of this Province is Confined to the preservation of the prerogative and Sovereignty of the Crown, and the meer general Dependance of the Subject.

"By the second it is Contended that however discretionary the Power of exercising that Negative may be in the Crown, the Proprietaries are excluded from claiming any benefit by it, and that by the Consent of their Deputy they are finally tied down as Partios without any Tittle to Complain or any possability of Relief.

"Upon the first of these Objections, We beg leave to State the only two Clauses in the Charter relative to the passing Laws in Pennsylvania; In the first of these it is provided that they shall be consonant to natural Equity and as far as Circumstances will admit conformable to the Laws of England; In the Second, that they shall not be contrary to the Sovereignty or Prerogative of the Crown; and We apprehend, my Lords, it would be a construction altogether unreasonable to suppose that where there are two Reservations of which the Crown has been equally tender, and upon which the Charter is equally explicit, that the Clause which relates to the Execution should be confined only to one of them and not extended

equally to both; and we are thoroughly persuaded that the Crown would and ought to be to the full as jealous on behalf of the Subject, that Laws shou.d not be contrary to Reason or repugnant to the Laws of England, as it would be for the protection of its own Soveriegnty and prerogative, and it is scarce possible to suppose that the Crown should have reserved to itself by the Appeal the Judicial power in its full Extent, which is of less Importance and Inferior Dignity, and at the same time have divested itself of the far greater part of the Legislative, which is essential to its Royalty and which is always exercised by the King in his our Person.

"And that this has been the Construction of these Clauses, appears from the uniform practice of this Board, which has frequently advised his Majesty to Annul the Laws of this Province, not only for being derogatory to his Majesty's Prerogative, not only because they were repugnant to Equity, or the Laws of England, but frequently upon a meer Consideration of their General inexpediency; And this opinion has been so uniform on the part of the Board, that there is no Instance to the Contrary; and on the part of the Province there has been no Complaint or Remonstrance whatever, against the exercise of this Power by the Crown in its utmost Latitude; On the Contrary, We beg leave to observe that this power has been ratified in the fullest manner by the Province itself, in an Act of its own. In Virtue of the Powers of the Charter which we have already had Occasion to mention to your Lordships, several Laws had, in the year 1705 been declared void by Order of her Majesty in Council only, and not according to the express Words of the Charter under the privy seal. To remove any doubts which might Arise concerning the Repeal of those Acts, and to supply that defect of Formality, the Assembly in Pennsylvania passed a Law confirming the Repeal of all the Acts which before the year 1734, had been declared Void by order in Council, amongst which there are Laws of almost every different description, and but a few of which can be brought, and that limitted Construction now contended for by the Assembly, as affecting the Sovereignty and prerogative of the Crown, or the Allegiance of the Subject; and, my Lords, it is material to observe that this Law of the Province of Pennsylvania was passed, not to remove any Doubts that had arose from the Power which the Crown had exercised, but merely to supply the omission to those forms which the Crown, in its Charter, had prescribed.

"This, We conceive, my Lords, is the right of the Crown, as it appears upon the face of the Charter, and this We have Stated to your Lordships for no other purpose than to answer those Objections which have been raised against the power of the Crown, and which have been drawn from the Charter itself, not in any wise admitting that the right of the Crown has its Origin, or derives any part of its Validity from the Charter, or from any Confirmation of it by the Legislature of Pennsylvania; On the Contrary, we are

fully of Opinion that every british Subject, whilst he remains in any Country under the Allegiance of the Crown, has an Indisputtable right to avail himself of its just prerogatives for the redress of any Grievances which he may suffer, and from this benefit we apprehend no one Subject can be shut out by any Favour or partiality to another, or by any Grant or Charter whatsoever, and that, therefore, for the Exercise of that protection in its most essental part, there is a reservation of the King's final negative necessarily implied, tho' it should not be actually expressed in every Charter by which the King gives permission to his subjects to make Laws in America, and it is in Consequence alone, of this Right to protection in the Subject and Superintendance inherent in the Supreme power, and inseparable from it, that his Majesty has frequently abrogated the Laws which have been made in Charter Governments, and particularly in the Colony of Connecticut, where the power of the Crown is much more limited; where there is no reservation in the Charter of the Royal Negative, nor any Regulation for transmitting their Laws to England, both of which are particularly provided for in the Charter of Pennsylvania.

"In every light, therefore, my Lords, which we consider it, from the reason of the King, from the Express Words of the Charter, from that Construction of the Regulations which reason requires from the uninterrupted Course of the precedents, from the Assembly's Admission of that right, and from that inherent part of Sovereignty by which the Crown owes an equal protection to all its Subjects, We are clearly of Opinion that his Majesty has an undoubted Right to Examine into the merits of this and every other Provincial Law, to give or to with hold his Negative upon any good Reasons which may be Suggested to him by the Wisdom of his privy Council, or by his own Royal prudence and discretion.

"We come now to lay before your Lordships our opinion upon the Second head of general Objection, that the Proprietaries having by their Deputy consented to these Laws, are not entitled to Sollicit the Interposition of the Crown in their behalf. If your Lordships should approve what we have already Stated as to the power of the Crown by the General Reservation of the Charter, We apprehend you will necessarily be of opinion that the Crown should not Preclude itself from any Information, by whomsoever it may be furnished, and by which it may be better qualified to direct the Exercise of the Power it has reserved, and that the Crown will hear the Proprietaries for that purpose, in Common with any other person in the Province, all of whom must be Considered as being in Common with them Parties to every law having by the nature of the Constitution given their Assent to it, either actually by themselves or virtually by their Representatives. We apprehend, therefore, my Lords, that the Crown will not only permit but encourage the throwing all possible light upon every Provincial Law that may be passed, that it will disregard intirely

the Person who Complains, and attend only to the Justice of the Act and the merits of the Complaint. Whatever, therefore, may be the Situation of the Proprietaries, the Crown will still Exercise its Negative in such manner as it thinks proper, and if by the Strict Letter of the Law the Proprietaries should be tied down, We apprehend it would be extreamly injurious that they should in reason and Equity be considered as a party to those Acts. For, my Lords, in the Course of this hearing, it has been made sufficiently apparent by the manner in which the Assembly detained the Salary of the Deputy Governor till he had given his assent to those Laws, and by the manner in which they paid it when he passed them (a Seperate Sum *Sum* being received by him upon his Consent to Seperate Laws) that it was meant by the Assembly and understood by the Governor as a Consideration for his passing these Exceptionable Acts in contradiction to his Instructions. And if it was possible for us to entertain any doubt upon this head, the Assembly themselves would not permit us; a Vote of their House has been produced, in which they State that the Governor had Acted not only against the Proprietaries' Instructions, but against the Remonstrances of the Council appointed to advise him that they Conclude therefore he will incur the forfeiture of his Bond, against the penalties of which by their vote the undertake to Indemnify him; And tho' some instances have been brought in which the salary of Governors has been permitted to be in Arrear, yet no Instance has been produced that is in any manner parallell to the present. But what peculiarly distinguishes this Case from all others is the vote of indemnity, and it would be particularly hard to suffer the Assembly by taking advantage of their own wrong at once by their vote of Indemnification to declare that the Assent to these Laws was not the Act of the Proprietaries, and then to Contend that they should be bound by it. For we apprehend, my Lords, that the position laid down by this Assembly in their Vote that the deputy Governor is not in any case bound by the Instruction of his principal, but is vested by the nature of his Office with discretionary powers to act as he thinks proper, is not only against the essential nature of all deputed power which is always qualified by such Limitations as the principal impose on it, but if taken concurrently with their proceedings in regard to the Salary, would establish an uniform System of Collusion between the Governor and the Assembly.

"We apprehend, likewise, it would be productive of the greatest Injustice, not only to the Proprietaries but to the province, if the Assembly should be encouraged in so unwarrantable a practice as to apply the money of the people first to corrupt the deputy Governor, and then to take away the means by which his principals may bind himto his duty or punish him for the violation of it; And that it must also occasion the most serious mischief in Government, if in this Colony, consisting only of two branches of Legislature, the one shall be permitted, by a publick Act, to corrupt the party entrusted

with the prerogatives of the other; And we are perswaded that your Lordships will approve our recommending it to his Majesty to discountenance, by every possible method, so collusive and iniquitous a practice.

"For these reasons, my Lords, we are clearly of opinion upon the second head of general objection, that the Crown will be open to every information from every person; that the Proprietaries are, in this particular Case, not so concluded by the Act of their Deputy as to have no title to Complain; that on the contrary, the Act of their Deputy has given them the strongest reason to complain, and the justest Title to redress; That as wronged Individuals, they have a right to resert to the Crown for relief, and that as Persons intrusted with some of its most valuable prerogatives, They come before his Majesty on the fairest grounds imaginable. For, my Lords, it has uniformly been the Practice of this Board to preserve, to the utmost of their power, the just prerogative of the Crown where ever they may be lodged, and even tho' the Trustees should be willing to part with them, much more when, in pursuance of their Duty, they come laudibly to prevent any dilapidiation of them in their Hands.

"We have dwelt, my Lords, the longer on these preliminary Points, because it is by the determination of them that our right to a more particular discussion of these Laws must Stand or fall, and because it is upon the latter of these Objections, rather than upon the merits of the particular Regulations, that the Council for the Assembly have Supported the whole body of the Acts objected to by the Proprietaries, but above all because they turn on matters of the last importance to his Majesty's prerogative, and to the peace, order, and good Government not only of this, but of several others of his Majesty's Plantations in America.

"These two points being Established, the right of the Proprietaries to Complain, and the right of the Crown to redress, We come next, my Lords, to consider how far the several Laws referred to us by your Lordships, may deserve his majesty's disapprobation or Allowance.

"And the first Act upon which we shall take the Liberty of Stating our opinion to your Lordships, is the Act of 1759, for raising £100,000, departing from the Order of your Lordship's reference, and pursuing that method in which the several Laws were objected to by the Council for the Proprietaries, and supported in behalf of the Assembly. This Act is Entitled 'An Act for granting to his Majesty the Sum of 100,000, and for striking the same in Bills of Credit in the manner therein directed, and for providing a Fund for sinking the said Bills of Credit by a Tax on all Estates, real and personal, and Taxables within this Province.'

"And the object of it is granting a supply to his Majesty, suitable to the Circumstances of the Province, and the Exigencies of

Government, to be raised by Tax on all real and Personal property within the Province. It will be necessary for us to observe to your Lordships that before the year 1755 no Attempts had been made to include the Proprietary Estate in any General Land Tax Bill; the Proprietaries Contended against this innovation, and by contributing towards the General Supply by a free gift of £5,000, their Estates were, upon that Consideration, not included either in the Land Tax Bill of 1755, or in the Tax Bills of 1757 and 1758, which were considered as Supplements to it; this expedient, however, procured but a temporary suspension of the Dispute which was revived again and continued for a long Time to disturb the Tranquility of the Province, and to embarrass the public Proceedings. To quiet these Dissentions, the Proprietaries at last Consented that their Estates should be taxed, interposing only these very reasonable Conditions that the impositions should be laid on Objects properly Taxable, that Equality should be observed in the quantity and Justice in the mode of Taxation. This gave rise to the Act of 1759, by your Lordship's reference now under our Consideration, by which the Proprietary Estates were taxed, not only to the Supply then given, but retrospectively towards all the supplys since 1755 inclusive, allowing them Credit for the £5,000 Received, if it should happen to fall short of their proportion of the Tax. This Regulation which might appear otherwise unreasonable, was founded on a proposition of the Proprietaries in a Letter to Mr. Franklin, the Agent of the Assembly.

"How far this Act is consistent with the Royal prerogative, agreeable to natural Equity and the Laws of England, we shall now take the liberty of stating to your Lordships.

"In Order to make this matter as clear as its intricacy will admit, we beg leave to state the nature and qualitys of the Proprietary Estates in that Country. They consist, first, of quit rents given on Grants of the property and Inheritance of Land; Second, of Rents reserved upon Leases for lives or years; 3d, of the waste Lands which are held by them under their Charter in Virtue of their General proprietary Right; 4th, of located Lands, which are Lands reserved by the proprietarys for their own use, out of those Tracts which are granted to private persons, and which tho' appropriated as their Demesne are not Cultivated but kept vacant, in order that they may be occupied, let, or sold, as they shall judge most Convenient. The 2 first of these Divisions of their Property, the Quit Rents and reserved Rents, the proprietaries freely consent should be taxed. The only dispute therefore is with regard to the 3d Species of property, the waste Lands which are not located, and the 4th, which are the improved and unsettled demesne Lands which are located, and each of these it is Contended, as We apprehend with reason, is a Species of Property which is by no means a proper Object of Taxation, for by this means a Tax is annually imposed upon what yeilds no Annual Produce or, properly, speaking no produce at

all, Contrary to reason and Contrary to those rules which in England have been on these Occasions Constantly observed; and, my Lords, we conceive that the Tax imposed by this Act upon located Lands, tho' unimproved, is not only injurious to the Proprietaries but to every Individual in the Province who is possessed of Lands under the same Circumstances. What adds to the Impropriety of this Tax, is that the annual imposition on those Lands is limited only from 5 to £15 P^r^. Hundred Acres, by which means a great Latitude is left open to partiality and injustice in the Assessions.

"But with regard to the proprietaries there is a peculiar hardship in that Charge imposed by the first taxing Clause in this Bill on Land at large, tho' they are neither improved or located, a description which can alone be applied to the Lands of the proprietaries; these we apprehend to be rather a more improper Object of Taxation than the former, these are likewise deprived of the Benefit even of those Restrictions used in the former tax, as those Restrictions are the mode and quantum of the Tax as far as it relates to this Object, not being limited as in the other Case from 5 to £15, but absolutely left open to the discreation of the Assessors.

"It is not, my Lords, in the object of the Tax alone that the Proprietary is distinguished from every Individual in the Province, but likewise in the Method of Taxation; by this Act, in Cases of private property, every Species of Estate is to support its own proper Burthen, According to its particular Nature and Circumstance; on Non-Payment of the Tax on improved Lands, the Remedy which the Act has appointed is Distress for unimproved Lands; because there can be no Remedy by Distress, recourse is had to Sale, and these Remedys are never displaced, nor is one kind of Land in any Case made answerable for the defaults on the other. But this rational and distinguishing Order is quitted when applied to the proprietaries, for in their Case there is one only remedy and that is an Absolute Sale of their Lands, whether improved or unimproved and that for default of payment of the tax, whether on their quit Rents, their Reserved Rents, their located Demesne, or their Lands at large, in the ordinary Course likewise of levying the the Tax upon Individuals, they first resort to the Landlord, and on his default to the Tenant before they proceed even to distress; in the Case of the Proprietaries, they go only to the Receiver General, and on his refusal or neglect, take no Notice of the Tenant, but have recourse immediately to Sale giving against the Proprietaries, in the first instance that Remedy upon a default of payment of the Tax for any of their Lands or their Rents which they refuse against the individual, except in the last resort, and then for his unimproved Lands alone, and this regulation, my Lords, is not only partial in itself, but Contrary to the Laws of England, which in no Case Subject Lands to Sale for non-payment of Taxes.

"The proprietaries complain, and we apprehend with reason, not only as to the injustice of the Tax in its Object, as to the partiality

of the Methods by which it is enforced, but likewise as to the inequality which is observed in the Choice of Assessors for Collecting it.

"The Inhabitants of this Province, whenever they are taxed in common with the Proprietaries, may be Consider'd as their Adversarys, as the former will be exonerated in the proportion as the latter are burthened. It would have been but justice, therefore, to have provided indifferently for each, but the Proprietaries, by having no Vote in the Choice of Assessors, not even an Negative on those who are appointed to dispose of their property, are not in this respect, upon a footing with the meanest Freeholder in the Province; if they appeal from the partiality of the Assessors who are Chosen by the People, it is to Commissioners who are elected in the same Manner, and are liable, therefore, to the same exception. We ought not, my Lords, to pass over the plea which the Assembly makes in favour of this Regulation, that the manner of levying the Tax and of Judging an appeal as settled by this Law, is the same with that which has been so long in use by the Act for levying County Rates, and that no Complaints have been made of any Inconvenience or Oppression; but this method, which was very reasonable when the People only were Taxed, becomes altogether unfit when a new Object is let in, and the Proprietaries are to be charged; and therefore, no Argument can be drawn from the Equality of the former method, the present Circumstance being, as must be obvious to your Lordships, extremely different. Added, my Lords, to the Appointment of Assessors, and of Commissioners of Appeal, in neither of which the Proprietaries have any share, the Assembly has taken to itself solely and independent of the Governor, a right of revising and Controlling the whole Assessment, which, we apprehend, as far as this object extends, to be no less than assuming to themselves At once a great part of the executive, and in Effect, the whole of the Legislative power, as by Controlling the Assessment, they may either raise or lower it, as they think proper, which is in every respect equivalent to a new Tax, and this Extraordinary power is reserved in Words so general and Ambiguous, that it is impossible to set any limits to their pretensions, especially as they have brought the interpretation of this Act before no other Tribunal but their own Assembly, in proportion as they have departed from justice, departing from the Constitution and the Laws of England, when the House of Commons have never assumed a power in any manner similar to this. And, my Lords, the Assembly, not Content with Levying the money solely by popular Assessors, trying the Appeal before a popular Tribunal, revising and Controlling the whole Taxation by a popular Representative, have vested in themselves alone, the application of the money which is thus directed to be raised, usurping by this means, one of the most inviolable prerogatives of the Executive Power, not Countenanced by any Example of the British Representative, who always consider the ap-

plication of the Publick Money Subject to account, as one of the most undisputed powers of the Crown. It is true, that the Assembly have in part of this Act, complimented the Governor with a Share in the Application of the Money, but by the two Clauses immediately Subsequent, they have taken Care to render that Concession ineffectual; For by these, a majority of the Commissiories are independent of the Governor, Impower'd to draw upon the Loan Office, not only for the purposes of this Act, but for the discharge of Services performed under the Authority of a former Law, and which, thro' the deficiency of the Funds set apart for the Payment of them, had not yet been provided for.

"The next exceptionable provision, my Lords, is that by which the Assembly have reserved to themselves the sole and exclusive nomination of the Officers created by this Act, a prerogative not only belonging, but absolutely essential to the executive Power, and on which the Exercise of all the rest depends; and it will be needless to point out to your Lordships, that in this, as in all other Instances of the same kind, they have far exceeded the largest Claims of the British House of Commons; and this Encroachment, my Lords, they Constantly Exercise, and in almost every Act by which a new Officer is appointed, the sole Nomination of that Officer, by an Express provision, is particularly reserved to the Assembly.

"In addition, my Lords, to all these objections, there is another which we apprehend to be Extremely material, arising from that part of the Act by which it is Contended that the Proprietaries should be bound to receive their Rents in paper Currency, notwithstanding the express reservation of them by the Words of their Contracts in Sterling; but as we shall have Occasion in the Course of our Report upon the Subsequent Laws, to State this matter more fully, we shall not now enter into the discussion of it at Large, but satisfy ourselves here with barely pointing it out to your Lordships' Observation.

"We must not here omit taking notice of one Argument which has been offered by the Assembly, and very strongly insisted on, in Order to obtain his Majesty's Approbation of this Act; And that, my Lords, is drawn not from the merits of the Act itself, but from the Inconveniences which they State must unavoidably Attend the Repeal of it: 'That they money being already omitted under the Publick faith, and Circulating every where throughout the Province, if this Act should be Annulled, must of necessity lose its Credit, and that many, therefore, would become Sufferers who were by no means Instrumental in framing those Inequitable Regulations, for which the Law was Deprived of its validity.' We are sensible, my Lords, from the manner in which this Act is framed, that some inconveniences must follow, either the confirmation or the disallowance of it; and we have it in our power only to Consider which will be productive of the several Mischiefs. This, my Lords, is what we have weighed as deliberately as we are able, and we are clearly of

opinion that from the Comparative lightness of the Evil, and from the Comparative easiness of the Remedy, as well as for the sake of the Precedent, that the Repeal of this Law is much the least exceptionable part. If the Act should be Confirmed, a Capital Injustice would be done to the Proprietaries, several Infractions would be made upon the Constitution, and several Incroachments on the prerogative. And those, my Lords, during the Subsistence of the Act, could not possibly be remedied, and probably would not upon the expiration of it, for there is not one provision of the Law which has not been supported by the Assembly, or permanent principles, from which they will not, and from which, if their opinions were well grounded, they ought not to depart. The method of Taxing the Proprietaries is contended for as consistent with Justice, and the Incroachments on the prerogative as agreeable to the Constitution. If, my Lords, on the other hand, the Act should be repealed, the Bills that have been issued may possibly be deprived of their Currency, the Odium, however, of this Inconvenience, We apprehend, must fall upon that who reduced the Crown to this necessity, not upon the Crown itself or upon those whose Province it is to advise it, and this very Inconvenience it will be in the power of the Assembly who gave rise to it instantly to redress by the Passing an Act to re-establish the Credit of those Bills Simple and unadulterated by those Clauses, which gave Occasion to its being repealed; And we beg leave to observe, that not one of those provisions, which we have Stated as so exceptionable, are at all essential to the great and Capital Object of the Act. For, my Lords, the Sum of £100,000 will be Raised not only more equitably but full as effectually, if the object of the Tax be a proper as if it was an improper one, if the method of enforcing was equal instead of being partial, and if the Proprietaries had a Voice in the Nomination of Assessors, in the Appointment of the Officers and in the disposition of the Money, as if they had not.

" In other Governments, my Lords, where Laws have been passed, which it has been thought for some reasons not advisable to Confirm, and which, at the same time for others judged not expedient to repeal, the Crown has far a time suspended its decision, still having in itself the power either of Confirmation or Disallowance at any other more convenient Opportunity. From this Expedient in the present Case, even could we recommend it, his Majesty is precluded by the Limitation of the Charter by the Terms of which, unless within Six Months past of which is now alapsed, the Laws are declared void, they of Course become Valid and the Interposition of the Crown, at any Subsequent Period, will be totally ineffectual. To Conclude, my Lords, on the most attentive Consideration of this Bill, from the manifest Injustice of some parts, from the Studied ambiguity of others, from the Impropriety of some of the Objects of the Tax, from the injustice which is done to the Proprietaries in their property as Individuals, and in their prerogatives as Governors,

from the manner in which the Tax is laid, from the remedies which are prescribed to recover it, from the exclusive Choice of Assessors, Commissioners, and Revisors, by which the Tax is Subjected to three popular Bodies, by the usurpations and Encroachments in the Choice of Officers, and the application of money, and by the compulsory Tender of their Paper Currency, notwithstanding the Express Reservation in the Contracts of the Proprietaries, in all which particulars the Act manifestly Offends either against natural Justice and the Laws of England, or the Royal prerogative, We are fully of opinion that this Act is one of the most proper Objects for the exercise of his Majesty's power of Repeal, which has been at any time referred to our Consideration; and We humbly recommend it to be repealed accordingly.

"'An Act for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan, and for Striking the further Sum of £36,650, to enable the Trustees to lend £50,000 to Colonel John Hunter, Agent for the Contractors, with the Right Honble. the Lords Commissioners of his Majesty's Treasury for his Majesty's Service.'

"'A Supplement to the Act Entitled 'An Act for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan, and for Striking the further Sum of £36,650, to enable the Trustees to lend £50,000 to Colonel John Hunter, Agent for the Contractors, with the Right Honble. the Lords Commissioners of his Majesty's Treasury for his Majesty's Service.'

"Before we take the liberty of reporting to your Lordships the opinion we have formed upon the Subject of the first of these Bills, We beg leave to premise, that the Paper Currency (which is its principal Object) has been issued in this Colony and in the other Provinces of North America, for two purposes.

"The first, my Lords, is upon Loan to Supply the deficiency of Species, to serve as a Medium of Circulation within the Province, the Ballance of Trade being so much against them that Gold or Silver is very difficult to be procured.

"The Second, tho' it has for its imediate object only to provide for the Exigencies of Government, become in its operation Subservient to the former Purpose, and Contributes likewise to Increase the Circulation of the Province.

"We must observe further to your Lordships, That when paper Currency has been Struck for the former of these purposes, to be issued out upon Loan, it has been usual to Advance it on proper Security and at a legal Interest, the Borrower Stipulating that it should be repaid at a certain Period, and the legislature providing by their Act that the Bills so issued should, upon the re-payment of the money, be destroyed; but it has frequently happened that when the Circulation of the Colony seemed in any manner to require it, the legislature has directed that the Bills which had been paid in, and which were intended to be destroyed, should be again emitted under the same Security and at the same Interest.

"By proper Currency, my Lords, thus issued upon Loans, several salutary purposes have at once been answered; the defect of Circulation from the want of Specie that has been Supplied by being advanced at a very low Interest, the Cultivation of the Province has been promoted, and that Interest has been Applied to support the Current Services of Government; under the Restrictions We have Stated to your Lordships, the paper Currency of this Province, by various Emissions and re-emissions, at length amounted to £80,000, but as the final Period of its legal Circulation is distant but a very few Years, and as by the Laws now subsisting the whole would expire in 1762, The Assembly proposes by this Act to revive the Circulation of these Bills, to Re-emit them as they shall be paid in, and to Continue their Credit to 1778 by an Additional Term of 16 years. We are far, my Lords, from being of opinion that the Sum of £80,000 as Stated by the Assembly, may not be necessary for the Circulation of the Colony, considering the great Increase of People and of Trade more than proportioned to that Increase in this very thriving and flourishing Province; But we apprehend that the prolongation of this paper Currency for 16 years from 1762, is at present not only absolutely uunecessary but extremely improper. For first, my Lords, as to its being unnecessary, We must observe that almost the whole Sum of £80,000 is still outstanding in the Province, and will Continue in Circulation by the Laws now Subsisting till the year 1762, no more than 1650 having as yet been actually paid in, tho' £27,000 is the Sum which, by the Terms of the Several Laws, ought before this time to have been discharged. Secondly, my Lords, we apprehend that a want of Circulation cannot possibly be felt in the Province, because great part of the Bills which have been struck since the Commencement of the War to supply the Exigencies of Government, and which, as we have observed to your Lordship, serve the same purposes of Circulation with the former, are together with almost the whole of the £80,000 still Current in the province, in so much, my Lords, that of all the paper Currency which has been issued in the years 1755, 1757, 1758, and 1759, the former is alone destroyed. If, therefore, it is confessed that the Sum of £80,000 is Sufficient for the Circulation of the Province, no defect, We apprehend, can be upon that head reasonably complained of, because from the several Paper Bills which have been passed and which *and which* have not yet been destroyed, a much larger Sum than that which is stated to be necessary, is now and will continue to be for Some time Outstanding in the Colony.

"As the Emission of paper Currency in General has never been encouraged, tho' it has in some Cases been tolerated by the Crown, the Consideration of this Re-emission ought not certainly to have resumed till as late as possible. But as this Bill was made as much earlier than was necessary, so it was Continued much longer than was proper. By the Act for regulating paper Currency in the New England Governments, the Term for the Circulation of Bills issued

on Emergencies is Extended to 5 years only, to those issued for Circulation it is limited to 3. And tho', my Lords, this Province is exempted entirely from that Law, Yet as that exemption arose solely from a persuasion that the Province had, without a law, come of itself very near the regulations which the Law would have prescribed, We apprehend, to preserve the Reasons of this Exemption in all their Validity, it is necessary still to hold this Province near as may be to the Standard of that act.

"Further, my Lords, we must observe that this Act is lyable to that Objection which we only touched upon to your Lordships, in our Report on the Land Tax Act of 1759, and which we Shall now take the liberty of opening more at large. And here it will be necessary to observe that the Proprietaries, in their Grants, had originally reserved the payment of their Quit-Rents in Sterling money, Only, and this form of Reservation continued till 1732; But since that period their Rents have been expressly reserved, not only (as before) in Sterling Money, but with the addition of this new Clause: 'or its Value in Currency, regard being had to the rate of Exchange between Philadelphia and London.' In Consequence of Several Acts by which paper Currency was Issued in the Province, and by which it was likewise made a legal Tender in the payment of all Rents, &c^{a}, a dispute arose between the Proprietaries and their Tenants, The Tenants insisting on the Tender of Paper Currency, under the authority of the Acts of the Province, and the Proprietaries refusing to receive it, as contrary to the Express Reservation of their Grants. To Quiet this dispute, the Assembly agreed to pay the Proprietaries a Sum of £1200, and £130 Pr Annum, till the year 1749, as a Compensation for the difference between the sterling Money, which was reserved by the Proprietaries, and the Paper Currency which was tendered by the Tenant, enacting, at the Same time, that all Quit-Rents since 1732 should, for the future, be paid according to the terms of their Covenants, and in this, tho' not amounting to half of the real Difference, the Proprietaries acquiesced; and tho', my Lords, the Assembly, by this Compensation which they made to the Proprietaries, seem to allow that they had a right by Such Reservation, and a loss by the Breach of it, yet notwithstanding their former Sense of this Affair, tho' it is not denied that Paper Currency is Greatly below Sterling Money in its Value even at Present, when the large Remittances to North America, for the payment of the Troops and the other Services of the War, have rendered the Exchange less in their disfavour than it otherwise would be, Tho' the Tenor of the Grants, either before or Since 1732, are not questioned, the paper Currency is by this Act made a valid Tender for the Proprietaries' Rents, as well as for all payments whatsoever, not excepting even the Contracts that have been made since 1732, as they had before done in the 12th of the King, nor making in this Case as they had done in the former, any Compensation, however unequal for the Loss, and

we beg leave, upon this occasion, to remind your Lordships that his Majesty did, in the Course of the last year, disapprove a Law of North Carolina by which his Majesty's Quit-Rents, being Comprized in the General Terms of all Debts and Demands whatsoever, were made payable in paper Currency; And at the Same time his Majesty, by a special Instruction directed his Governor to take Care that in all future Acts for issuing paper Currency, a Clause be inserted, declaring that the paper Bills of Credit already Issued, or thereby to be issued, shall not be a legal Tender in payment of the said Quit-Rents, nor of any Debts whatsoever that may become due to the Crown.

"We have likewise, my Lords, another very material Objection to this Bill, as it is now Constituted, arising from the re-emission being conn'ed with the Loan to Colonel Hunter, with which it has not the least necessary relation; by this Method of Blending together, in the same Bill, things which are in their own Nature totally separate, The Crown is reduced to the Alternative, either of passing what it disapproves or of rejecting what may be necessary for the publick Service; & this manner of framing Laws has been always so exceptionable to his Majesty that in Governments more immediately under the Controul of the Crown, it is a Standing Instruction to the Governor not to give his Assent whenever it was proposed that Matters of a different nature should be regulated in the same Law.

"But, my Lords, in Order to shew that the Clause relative to the re-emission was inserted only as a Tack to the Loan, it has been alledged by the Council for the Proprietaries, that the very same being offered in a separate Bill, was rejected by the Governor, but obtained his consent when connected with the Loan to Colonel Hunter.

"None of those Inconveniences which may possibly attend the repeal of the Land Tax Act are in this Case to be apprehended; for the money having been advanced by Colonel Hunter to the Contractors, with his Majesty's Treasury, has been already repaid, and will probably be received in Pennsylvania before the Repeal of this Act can possibly arrive there, and thus, my Lords, publick Justice will be done without Injury to any Individual.

"We must, in addition to these objections, also mention to your Lordships that the Assembly have, in this Instance, likewise taken to themselves the sole disposition of this Interest, arising from the £80,000 which, at £4,000 Pr Annum for 16 years would Amo^{t} to £64,000; but we shall not repeat what we have already taken the liberty of offering to your Lordships, upon the application of all money being assumed by the Assembly in the former Act, especially as we imagine we already given Sufficient reasons for the support of our Advice to his Majesty, that these two Acts may be repealed.

"The Act, my Lords, intituled a supplement to this Act is lyable to the same Objections with the Act it self. If your Lordships

should approve what we have stated upon the Act, this Supplement will meet of course with his Majesty's disallowance.

"There is, however, one additional Objection to the Supplemental Act, that the Nomination of Officers, which by the Act itself was to be exercised by the Assembly with the Concurrence of the Governor, is here to be exercised by the Assembly only.

"'An Act for recording of Warrants and Surveys, and for rendering the real Estates and property within this Province more secure.'

"In Order to Comprehend the Object and to Judge of the Equity of this Law, it will be necessary for us to state to your Lordships the method which is now pursued in Granting Lands in Pennsylvania; Upon application being made to the Proprietaries a Warrant is directed to the Surveyor General to survey the Lands that have been applied for; That survey when made is returned into the Secretary's Office, and upon the entire payment of the purchase Money a Patent is made out. By this Bill, it is proposed that a new Office shall be Erected for the registration of these Warrants and Surveys, there being no Office in the Province which by Law is bound to record them as they are at present kept only in the Office of the Proprietaries, at their Discretion, under the Direction of an Officer of their appointment, receiving a Salary from their Bounty, and liable to be removed at their displeasure.

"We cannot possibly, my Lords, object to any Regulations which seem to carry with them a probable Tendency of establishing the Evidences of property, and of preventing litigation in the Province, But we are of Opinion that the scope and drift of this Bill (which tho' it is expressed some what ambiguously in a Clause of the Act itself, is yet very clearly explained by a Message of the Assembly), is extremely exceptionable. By the Act it is implied only, but not explicately avowed, that a Warrant and survey are in Law a Compleat Title to an Estate of Inheritance in Lands, for it declares that Estates are claimed and held under Warrants and Surveys and *other Writings*, Specifying in clear and Express words the Warrants and Surveys as if they were the only, or most material part of the Title, and passing by the Patent, or involving it only in the general Term of *other Writings*, as a matter of little or no importance, tho' We apprehend it is, in reality, the only legal conveyance of an Estate. But, my Lords, as we have already observed the ambiguity of their Act is taken a way by the clearness of their Message, for the Assembly being pressed on the part of the Governor to explain themselves on this point, they expressly affirm that the true right of property is vested from the moment the Warrant is deliver'd.

"And this Regulation of the Bill, we apprehend, my Lords, to be highly exceptionable, as it establishes a Title to an Estate different from that which prevails by the Common Law, And we apprehend, it is likewise extremely unequitable to the Proprietaries, For, from the terms upon which Lands are usually granted in Pennsylvania,

it seldom happens that upon the Issuing a Warrant and Survey, the whole of the purchase Money is paid down part only, and that commonly a very small part is advanced at first, and the payment of the remainder, according to the Circumstances of the Case, is to be compleated at some other, and often at a very distant period, and this, my Lords, by a policy very rational in itself, and highly conducive to the Settlement of the Province; for, by this means, the Purchaser, instead of being totally exhausted by the Purchase, has money left to be Expended in the Cultivation of his Lands.

"As the Laws now stand, independent of this Bill, the Proprietaries and the Grantee have a mutual, and, as near as the Nature of the thing will admit, an equal Remedy against each other. But if the Bill proposed should pass into a Law, and the meer Warrant and Survey, which now only give a Conditional Right to an Estate, upon the performance of the terms of the Contract, should confer a right Absolutely, and of Course, the Proprietaries would be deprived of their proper and only certain remedy against the Grantee, the regaining possession of their Land by an ejectment for the personal Remedy against the settler, might, in any Case, be rendered ineffectual by the settler himself, who having, by the principles of this Act, a Compleat Title to his Estate by the meer Warrant and Survey, might, in Virtue of that Title, Convey and alien it to another, and the person claiming under that Conveyance would be confirmed in the possession of the Estate, and the Proprietaries personal remedy must cease of course, upon the absence of the person to whom the Grant was originally made.

"Nor, my Lords, as we conceive, would the establishment of such a Title be more injurious to the Proprietaries, than to the real Interests of the Province itself? For, if the Proprietaries should be discouraged from making out any Warrants 'till the whole of the purchase money is discharged, the method of paying by Instalments, which has hitherto been followed, not only with so much Benefit to the Proprietaries, but with so much Advantage to Individuals and to the general Advancement and cultivation of the Province, would be entirely taken away.

"There are, likewise, other Objections to which the said Act, in our opinion, is liable, that it will be necessary for us only just to mention, and for which, together with those already stated to your Lordships, We beg leave to offer it as our opinion, that this Bill should not, by receiving his Majesty's approbation, be permitted to pass into a Law.

"We are of opinion, my Lords, that the time in which the Surveyor is limited to execute every Warrant and survey that may be sent him, being only 40 days, unreasonably short, That his Compliance with this provision in the Act may in some Cases be impossible and in other extremely difficult, and we see no Inconvenience that could possibly have arisen from an extension of that Term.

"We Conceive that the directions under which, by this Act, the Surveyor is to execute his Office, are equally injurious to the Pro-

prietaries' Rights and to the common good of the Province. With respect to the Proprietaries by the Surveyors being obliged to survey to the Claimant whatsoever Spots or parcels of Lands he shall think most eligible for his purpose, the Proprietaries are deprived of that pre-option which they always had, and to which they are undoubtedly entitled in the reservation of such parcels of Lands as they may prefer to be Set apart for their own Demesne ; With regard to the Province, as the Lands of Pennsylvania are various in their Nature, and advantages with respect to Wood, Water, and Fertility of soil, by enabling the first Grantee to select out those parts which are in every Spot the most adventageous for a Settler, the refuse of the Land will be left only for those who succeed him, to the great discouragment of new purchasers, and to the manifest disadvantage of Settlement.

"We apprehend, likewise, that the penalty of £500 to be levied upon the Officer, on his neglect to Register any paper or Minute of property whatsoever by which any person may be affected, is much too heavy, and that where the Duty is so very extensive and the directions of the Act so very minute, the penalty should not be so extremely consible.

"But tho', my Lords, we cannot possibly approve, for the reasons we have stated, the particular Regulations that are proposed by the Assembly in this Act, we are far from being of opinion that no Regulation is necessary; on the Contrary, we think it highly Expedient that the Office Constituted into Publick Office not only for the Registration of Patents, but of Warrants and Surveys, and of any other transactions which may be thought advisable and which relate to the purchase of Lands; That While the Proprietaries may not be invaded in their rights, every Individual in the Province may be Satisfied as to the Fidelity of the Record and the Integrity of the Officer; That security should be given for the good behaviour of the Officer, and that he should be liable to penalties for mal Administration; such Regulations, we are of opinion, will answer the purposes of removing effectually all the real Inconveniences that are complained of, and all the Jealousies of the Assembly, as far as they are well grounded, without oppression or Injustice to the Proprietaries; and we are, my Lords, the more Inclined to approve of the plan we have Suggested to your Lordships, because in the Government of Virginia, where the patents of Grantees were registered in an Office under the immediate Controul of the Crown, similar to that which is now subsisting in Pennsylvania under the authority of the Proprietaries. His Majesty did, of his own Motion, recommend It to the Assembly of that Province, to pass a Law by which that Office, which had till then been more imediately under the direction of the Crown, should be converted into a public Office, under the several Circumstances which We have already pointed out to your Lordships, His Majesty, however, reserving to himself, in mentenance of his Just prerogative, the Exclusive Nomination of the Office.

"'An Act for the more effectual Suppressing & preventing Lotteries & Plays.'

"This Act, my Lords, has two Objects in its view, as the Title of the Bill imports, the one for the more effectual Suppression of Lotteries, the other for prohibiting, under a very severe penalty, the exhibition of Stage plays or any Theatrical representation whatsoever. With respect to the first, the Suppression of Lotteries, there is a Law now in being for that purpose, which is stated to be ineffectual and of which it is proposed by this Bill to enforce the execution, by Adding to the penalty on the one hand; it has not been denied, that notwithstanding the Law now in force, several Lotteries have been set up, and on the other it has been confessed that the Money arising from them has been constantly applied to the Support of a very laudable Institution, the Accademy in Pennsylvania. If the suppression of Lotteries, my Lords, has been the Single object ofthis Law, tho' we think the penalties Imposed by it extremely heavy, and tho' we are not without some suspicion (by these penalties being transferred by this Law to the Hospital at Philadelphia, which is particularly patronized by the Assembly, from the Accademy which has been largely Contributed to by the Proprietaries), that together with the desire of Suppressing Lotteries, there has been mixed some dissatisfaction at the preference which has been shewn to the Accademy; we should, nevertheless, had the Act been confined to the Single Object of suppressing Lotteries, have recommended it to his Majesty's approbation; Because, my Lords, we are clearly of opinion that the raising money Contrary to Law, tho' it may in some degree be palliated, cannot possibly be justified by the unexceptionable application of it.

"Tho', my Lords, the two Objects of Suppressing Lotteries and plays, have been in this Act connected together by the Assembly, tho' they have been consider'd as equally deserving of discouragement, and therefore are to be Attended with exactly the same penalty, yet we beg leave to observe that the Crown has perpetually distinguished and considered them in a very different light. To Laws for the Suppression of Lotteries, it has in many of its Governments consented, and there is, as we have already stated to your Lordships, a Law now Subsisting in Pennsylvania for that purpose. To the Total prohibition of Theatrical Representations, We do not recollect the consent of the Crown has in any of its Governments been given, or even asked, and We know that to propositions of this sort, from the Assembly in Pennsylvania, it has frequently been refused. The argument, my Lords, upon which this part of the Act has been principally Supported, is drawn from a Clause in an Act of the present King, by which it is declared that Stage Plays shall be allowed only in places of Royal Residence. We apprehend, my Lords, that it is an Acknowledged Method of Construction that no Statute Law whatsoever can be supposed to extend either to Ireland or the Plantations by meer general Words and by

Implication only, and unless they are specifically Mentioned; And We apprehend that Theatrical Representations continue to be not only permitted, [but] encouraged, in Ireland, exactly in the manner that they were before the passing of the said Act, without any Real or Supposed Violation of it; But tho' we do not see any Sufficient reason for an Absolute prohibition of all Theatrical Representations in Pennsylvania, and therefore shall beg leave to propose that this Act may not receive his Majesty's Allowance, yet we do not mean, my Lords, to encourage the unbounded & irregular Use of them. We are thoroughly sensible of the Mischiefs which might ensue from the establishment of any thing that had even a probable Tendency to introduce Idleness and prodigality in a Colony which seems so peculiarly indebted for its prosperity to frugality and industry. To prevent these Inconveniences, we should therefore wish to see some Law, which, if properly framed, We doubt not, would meet with his Majesty's Approbation, that might at once admit the moderate and regulated Use of such Amusements, and at the same time, by proper Limitations, prevent the Inconveniences that may attend their Excess.

"'A Supplement to the Act Intitled 'An Act for Establishing Courts of Judicature in this Province.'

"The 1st Object of this Act is to regulate the Jurisdictions of the several Courts in Pennsylvania, and in particular to transfer the decision of the Estates of Orphans and Intestates from the Orphans' Court to the County Court. As far, my Lords, as relates to this part of the Act, no Objection has been made on the parts of the Proprietaries, and the Regulations upon this head, as far as we are capable of judging, appears altogether unexceptionable. The second object of the Law is to change the Tenure by which the Judges now hold their Offices, not only in the province of Pennsylvania, but in every other Colony in North America and the West Indies, from Durante beneplacito to Quamdiu se bene gesserint. With respect to this latter point, it will be necessary for us only to remind your Lordships of the decision of the Crown upon this question, when the same principle was adopted by the Assembly of Jamaica, and a Law passed to the same purpose, which the Crown thought proper to repeal upon an opinion given by his Majesty's Attorney and Sollicitor General, that it was not Expedient for the Interest of either the Mother Country or the Colonies, that Judges in the plantations should hold their places Quamdiu se benegesserint; and as your Lordships probably retain the same opinion upon the same point, We apprehend that this Act will not be permitted by the Crown to pass into a Law; And we shall beg leave to assign some reasons why we think that the principle adopted by your Lordships in the Case of Jamaica, ought, for still stronger Reasons, to be adhered to in this Colony. In the original Charter granted by Charles the Second to Mr. Penn, the Crown has delegated, not merely by Virtue of his general proprietary powers, But by the

most express and positive Terms, a right to the Establishment of Courts of Judicature, and to the nomination of Judges, under no limitation whatsoever, and we apprehend, it would be conformable to the Justice and lenity of the Crown, to permit a Law (obtained against their Consent, and by undue means), by which the Proprietaries should be limitted in the exertion of those privileges to which they are Intitled by the Charter, when Nothing has been urged that can induce the Crown to believe that the proprietaries have, by an improper Exercise of those privileges, committed any thing which could Induce or Justify the Resumtion or limitation of them, and particularly as no Complaint whatsoever has been made, or any Inconvenience Stated to have arisen from the want of Justice in the Province being properly and regularly Administered; on the Contrary, it has been confessed that Men Of the greatest property and Character, have been, from time to time, appointed to the Station of Chief Justice, and that the rest of the Judicial Offices were filled by persons as well qualified as the Colony could supply, or a Salary so small as the present, could engage, and we cannot think that it would be advisable to depart from what experience has shewn to be attended with no ill Effects in this Colony, and under which it is Confessed on all hands, Justice has been hitherto so very unexceptionably administered. Tho' the arguments in favour of this Bill are supported by Analogy to the practice of the Mother Country, we must observe that the Change which the Tenure of Judges underwent at the Revolution, proceeded upon the most Conclusive and repeated proofs of the most arbitrary Interposition upon points of the greatest importance to the Constitution, and of the highest moment to the Subject; In this Colony the Case is directly reversed, and therefore there cannot, we apprehend, be the same necessity for Extending that principle to Pennsylvania, and as we are Convinced that this Act can convey no real Benefit to the Inhabitants of this Province, so neither can we, by recommending it to his Majesty's allowance, give Countenance to an opinion of its being Beneficial, least we should excite a just jealousy in the other Colonies, by seeming to extend Advantages to this proprietary Government, which have been denyed to those under his Majesty's more immidiate Care. My Lords, independent of the general merits of this Act, we are humbly of opinion it would not be prudent to establish it in the manner that is proposed; for, by leaving no power in the proprietaries of appointing new Judges, it perpetuates in the Seat of Justice for the lives of the present possessors, men (excepting the Chief Justice only), of inferior knowledge, and of Secondary Capacity, tho' by the growing Wealth of the Province, a Salary may be advanced more adequate to the Imployment, and the Proprietaries be thus enabled to procure others more Suitable to that Station, and better qualified for the discharge of a Trust in which every individual of the Province is so materially interested.

"'An Act for the relief of the Heirs, Devisees and Assigns of persons born out of the King's Legislature, who have been owners of Lands within this Province, and have died unnaturalized.'

"The professed intention of the Act, my Lords, which is now before us, is to relieve the Heirs and Devisees of Foreigners, Settled and possessing Lands in the province of Pennsylvania, who have died unnaturalized, by which their Estates have in Law Escheated to the Proprietaries. The Act proposes to take away from the proprietaries this Benefit of Escheat, and to vest the Lands escheated in the Heirs and Divisees of such foreigners dying unnaturalized exactly in the same manner as if they had descended from natural Born Subjects. We apprehend that tho' this Bill professes a Tenderness to suffering Heirs and Devisees, its real object is to take away another of the Proprietaries' Rights, for tho' it is set forth in the preamble of this Act that Inconveniences have happened from the want of such a Law, no Evidence has been produced nor has there been a suggestion offered at our Board of any Grievance or Complaint whatsoever. But on the Contrary, the custom has uniformly been on proper application to make out a new Grant to such Heirs or Devisees, conformable to the nature of the Inheritance or the purport of the Devisee, without Imposing any fine, or any new terms, or drawing any Lucrative Advantage whatsoever from the Escheat. We see, therefore, no reason for recommending to his Majesty's Approbation an Act by which it is intended to take away from the Proprietaries a Right to which they are indisputably intitled by their prerogative, and which they seem constantly to have Exercised in so disinterested a manner. And we Conceive that this Act with regard to its present and avowed object, seems although unnecessary, for as it is now Circumstanced its operation will be only retrespective, and by that means it will provide only for those who have, by the Confession of all Parties, already been provided for by the proprietaries' Indulgence, and with respect to the Proprietaries it would only confirm to the Heirs and Devisees the possession of those Lands in which they had before voluntarily invested them by their Grants. But under this ineffective appearance the real design of the Act we apprehend to be this, that the general principal of such a Bill, being once admitted as proper, and the Bill itself being now Established as necessary, a necessity of the same kind must, in a short time, again Occur, and what is now only to operate retrespectively would be extended as a permanent Regulation to operate in future, nor indeed do we perceive any reason why the Law should be limited in its operation, if the principle upon which the Law is founded could be approved

"We beg leave further to observe to your Lordships that the Benefits purposed to be conferred by this Act are extended equally, and without distinction, to Strangers of every sort, and it is not our sense that any further privileges than those extensive ones already

allowed by the Charter should be granted to any other foreigners than protestants, conformably to the Act of the 13th year of his present Majesty's for *naturalizing foreign protestants in America*, and it may not be improper to inform your Lordships that an Act of this Province, passed in 1700, was repealed by the Crown in 1705, on the Advice of her Majesty's Attorney General, Chiefly because it contained a provision similar to that which is the Object of this Law.

"'An Act for appointing an Agent to apply for and receive the distributive Share and proportion which shall be assigned to this Province of the Sum of Money Granted by parliament to his Majestie's Colonies in America.'

"The Object of this Act is the Appointment of an Agent for the particular purpose of receiving the proportion of the money which shonld be allowed to this Province, out of the Sum of £200,000 granted by Parliament in the year 1759, to be distributed to the Several Colonies in North America. The Act directs that the money should be received by Mr. Franklyn, the Agent nominated for that purpose, and should be by him deposited in the Bank of England, lyable to the draught of the Trustees of the Loan Office in Pennsylvania. The principal objection made to the Act, my Lords, is this, that it cannot possibly be complyed with in the manner there prescribed, for that the money being deposited in the Bank by Mr. Franklyn, the Governors will not enter into any Correspondence with the Trustees of the Loan Office aforesaid, or with any person but Mr. Franklyn concerning that Sum, and that they cannot issue money paid in by one person at the draught of any others, tho' the money should be paid in Expressly for their Use. Tho' we are inclinable to believe that the practice of the Bank is as it has been Stated; Yet we are not satisfyed that this can be applyed as a Conclusive Objection to this Act, nor even if it could, should We think it a Sufficient Reason, under the present Circumstances of the Province, to Advice his Majesty to annul it, for, my Lords, by the manner in which the Act is worded, it is far from being perfectly clear, whither when the money was once deposited in the Bank as a place of Security, it was not the Intention of the Assembly that the Trustees of the Loan Office should draw upon Mr. Franklyn, and not upon the Bank, and this Construction has been contended for by the Council on the part of the Assembly. If your Lordships should be of opinion that this was their Intention, the Act stands free from the Objection which has been made. But, my Lords, whether that was or was not the Case, we apprehend that the Intention of the Assembly was clearly this, to receive their proportion of the Money with as much Expedition and Security as possible; with respect to the first Object of the expedition, their Intention in that will be totally defeated; if the Act now before your Lordships is to be repealed, No money will be issued from the Treasury, till his Majesty's disallowance of this Act is

known in Pennsylvania, till a new Act is passed in Consequence of it, And that again transmitted to England; with respect to security, we apprehend it will stand nearly upon the same footing. Mr. Franklin will be equally responsible for the money he receives, and will be equally bound, under the terms of the Act, to deposite it in the Bank, and we beg leave to observe to your Lordships, that the money distributed in the other Colonies in Consequence of the Votes of parliament, has frequently been received by the Agents of those Colonies under their General powers of Agency only, or by Virtue of a particular Appointment, Subject to no other Restriction than meerly the general direction of remitting it to the Colony which appointed them.

"As, therefore, no personal Objection has been made to Mr. Franklyn, and as the opposition to this Act is founded principally upon a Supposition that from the manner of wording the Act, the Intention of the Assembly cannot be strictly complyed with, we shall beg leave to recommend it to his Majesty's approbation, because we are clearly of opinion that the Intention of the Assembly, and what is more material of the British House of Commons, will be better answered. That the Interest not only of the Province but the publick in general will be more Effectually promoted by letting this Act be carried into Execution, than by suffering the money Intended for the Encouragement of this Colony to lye Useless in the Treasury, whereby the Publick Service very possibly may be retarded, and therefore the very Intention of Parliament in giving this money by that means be frustrated, meerly Because the Assembly did not know with Sufficient Accuracy, or did not attend with Sufficient Care in the directions of the Act to that presise manner in which money is received and issued at the Bank. And, my Lords, we are the more inclinable to recommend this Act to his Majesty's Approbation, because when we look back upon the Conduct of this Province, when we Consider how often and how ineffectually they solicited at the Commencement of the War to Contribute to the publick Service, We are extreamly disinclined to furnish, not only any real discouragement, but even any Colourable pretext for withholding that Assistance in which the welfare of the publick & of the province may be so essentially interested.

"With regard to the disposition of the Money, which is in this Act reserved solely to the Assembly, independent of the Proprietaries, We have had often Occasion to State our opinion to your Lordships in the Course of this report; And we admit this Act to be, in that respect, very exceptionable, yet, my Lords, still adhering to our principle of uniformity, disapproving such incroachment, our Respect to the sense of the British Legislature, which intended that this Remittance should meet with as few delays as possible; and our regard to his Majesty's Service has induced us in this one Instance to suffer, tho' nothing can induce us to approve, or for the future to advise his Majesty to permit such a Deviation from the Constitution.

"'An Act for the Continuation of an Act of Assembly of this Province, Intitled 'a Supplementary Act to the Act Intitled 'an Act for preventing the Exportation of Bread and Flower not Merchantable, and for the new appointment of Officers to put the same in execution.''

"'An Act for the further Continuance of an Act of Assembly of this Province, Intitled 'a Supplementary Act to the Act Intitled 'an Act for preventing the exportation of Bread and Flower not Merchantable, and for the new appointment of Officers to put the said Law in Execution.''

"'An Act to prevent the Exportation of Bad or unmerchantable Staves, Heading, Boards, and Timber.'

"In delivering our opinion upon the Subject of these three Bills, in order to avoid giving any unnecessary Trouble to your Lordships, we shall beg leave to Consider them together, as their Objects are nearly of the same nature, as they are lyable only to one Objection, and as that Objection is common to them all.

"The purpose, my Lords, of these Bills is to prevent the Commission of those Frauds which frequently have been practiced in this Province, in Three of the most material articles of their Trade, Bread, Flower, and Staves, and to take Care that they shall be exported for the future, in a Merchantable Condition, Suitable to the Regulations which are therein prescribed. To these Regulations no exception has been made, as they are manifestly calculated for the publick Good, as they tend only to discourage fraud, to support the Credit of the Province, and are not detrimental to any Individual.

"The only objection which has been made to these Acts is, that the appointment of the Officers for carrying them into execution, is taken from the Proprietaries, to whom, by their Charter, it properly belongs. This, my Lords, is a just and Valid Objection to almost all the Acts against which the Proprietaries Complain, and tho' in these Acts this Objection has its Weight, yet, as the privilege here assumed is not like the Cases we had before the Honour of stating to your Lordships, a total change of constitutional powers and a Deviation from the whole course of proceedings in England, but meerly the appointment of a Ministerial Officer to put in Execution a particular and Temporary Regulation of police, we do not think the objection considerable enough to outweigh the useful Provisions of these Bills, and therefore We humbly recommend that they may be suffered to pass into Laws.

"With respect to the several other Acts referred to us by your Lordship's said order, and to which no Objection has been made, we beg leave to observe that the three following are expired, vizt:

"'An Act In Addition to an Act Intitled 'an Act for regulating the Hire of Carriages to be employed in his Majesty's Service.''

"'An Act for extending several Sections of an Act of parliament passed in the 32d year of the present Reign, Intitled 'an Act

for punishing Mutiny and Disertion, and for the better payment of the Army and their Quarters.' '

" 'An Act for regulating the Officers and Soldiers in the pay of this Province'

"And that the remaining five, as far as we are capable of judging, are extreamly unexceptionable, the objects of them being confined to the Internal Government of the Province, to more regulations of police, and Matters of Domestic Œconomy.

"They are Intitled a Supplement to the Act Intitled 'an Act for regulating the hire of Carriages to be employ'd in his Majesty's Service.'

"'A Supplement to an Act Intitled 'an Act for preventing Abuses in the Indian Trade for supplying the Indian friends and Allies of great Britain with Goods at more Easy Rates, and for securing and Strengthening the peace & friendship lately concluded with the Indians Inhabiting the Northren and Western frontiers of this Province.' '

"'A Supplement to an Act Intitled 'an Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessells, and also certain Dutys upon Wine, Rum, Brandy, and other Spirits, and a Duty upon Sugar, for supporting and maintaining the Provincial Ship of War, for protecting the Trade of this Province, and other purposes for his Majesty's Service.' '

"'An Act for regulating the hire of Carriages to be employed in his Majesty's Service.'

"'An Act to continue an Act Intituled 'an Act for directing the Choice of Inspectors in the Counties of Chester, Lancaster, York, Cumberland, Berks, and Northampton.' '

"Having, in obedience to your Lordships' Orders, Stated our opinion upon the several Acts distinctly which have been referred to our Consideration, and having Assigned our Reasons why we think they may deserve his Majesty's disapprobation or Allowance, We beg leave, after having shewn how (seperate and independent of each other) they are repugnant to Justice in a private view, to State, by Considering them collectively and together, how fatal they would be to the Constitution in a publick one. That your Lordships may be satisfied how entirely the prerogatives of the Crown, which it has reserved either for its own exercise or which it has deligated to the Proprietaries, must of necessity be destroyed, if the Laws as they have been Passed should be approved by his Majesty, or the more dangerous Claims which have been set up to support them should once be admitted, for amongst all the Laws referred to us by your Lordships and objected to by the Proprietaries, there is not a Single Act not only amongst those which we have advised his Majesty to Annul, but even which we have from peculiar Circumstances thought ourselves bound to recommend to his Majesty's Approbation, that does not contain either some Encroachment on the prerogative of the Proprietaries, as they are Trustees for the Crown,

or on their property as Landholders in the Province; and in several of the Laws your Lordships will have perceived that both these purposes are united by the Land Tax act, their property is charged with the utmost partiality and Injustice, and thereby in a degree taken away. By the Act for recording Warrants & Surveys, they are deprived of all legal remedy for the recovery of their Lands by the Establishment of a Title unreasonable and inconclusive in its self, and unknown to the Common Law; by the Act for the relief of Devisees, their right of Escheats, which is inseperable from Sovereignty, is cut off by the supplemental Bill for Courts of Judicature, their clearest power in the appointment of Judicial Officers, though not absolutely taken away, is considerably abridged by the Substitution of paper money for Sterling, in the Re-emission act their Rents are unequitably reduced, and thereby their Express Contracts virtually annull'd; And in all the acts which relate either to the Nomination of Officers or to the Disposition of the public Money, the most sacred and inviolable parts of the Executive power, are transferr'd from the Proprietaries and drawn into the Hands of a popular Assembly. To stop these encroachments and to restrain such Irregularities, there are but two Checks of which the Constitution in its Nature admits, the one is in the hold which the Proprietaries have over their Governor, the other is in his Majesty's Prerogative of Repeal; an Abridgment of that Prerogative has been Contended for by the Assembly, the Right of the Proprietaries to instruct their Deputy they have denied, and the Justice of indemnifying him against his Principal has been supported, agreeable to what we stated to your Lordships at the opening of our Report.

"And tho', my Lords, we think it incumbent upon us to declare that no Instance has been produced of any Improper Exercise of their prerogatives on the part of the Proprietaries, yet we cannot help lamenting that they have not been more consistantly uniform in the support of them, for it is observable that even to the Nomination of Officers which is so much insisted on by the Assembly, they do not pretend a Right from the Constitution itself, but derive it mearly from the Concessions of the Proprietaries; and though they profess to be very sensibly affected at any Encroachments on the prerogative of the Crown, and state themselves very properly as intrusted with its Preservation; Yet we cannot help observing that instead of supporting the Constitution of the Colony and their own dignity as a very material part of the Legislature, they seem to have considered themselves only in the narrow and Contracted view of Landholders in the Province, and to have been regardless of their prerogatives as long as their property remained secure, and never to have felt for their Priviledges as Proprietaries till by the diminution of those priviledges their Interests were affected as Individuals.

"But, my Lords, we apprehend it is our duty to hear, and if they are just to recommend it to his Majesty to redress the Com-

plaints of the Proprietaries from whatever motives they may proceed, to bring back as far as they shall be thought advisable by your Lordships, the Constitution of the Colony to its proper principles, to put the Goverment in a Regular Course of administration, to give to every branch of it the Exercise of its proper Powers, to restore to the Crown, in the person of the Proprietaries, its just Prerogatives, to Check the growing Influence of the Assembly, and to distinguish what they are perpetually confounding, the executive from the Legislative parts of Government.

"We are Satisfyed that there is nothing so likely to preserve the tranquility of the Province itself, or its dependance upon the mother Country, as the mentaining, with a strict and steady Hand, the necessary Powers and just prerogatives of the Crown, and the preferring an uniform and settled Principle of Government to an occasional Departure from it for temporary Convenience. Every day's Experience convinces us that it is in vain to negotiate away his Majesty's prerogative; every new Concession becomes the foundation of some new Demand, and that, my Lords, of some new dispute.

"This, which is true in General, your Lordships will perceive has been particularly so in the province of Pennsylvania; for though no principles of Constitution is more known or better established then the right of the Crown, and, therefore, in this Case of the Proprietaries, to the sole Nomination of Officers, and the exclusive application of money, it is now contended that the Proprietaries should not even partake in the Exercise of either of those powers; The Proprietaries' consent to share their prerogatives with the Assembly; The Assembly Insists upon engrossing them; and even should it be apprehended that after such supiness on the Part of the Proprietaries, and such long usage on the part of the Assembly, the Constitution could not, without Difficulty in every Circumstance, to be departed from.

"If, my Lords, it could be necessary to support the Proprietary of maintaining the Constitution of the Colony by any other Reasons than those which we have already offered to your Lordships, we apprehend that there are Circumstances peculiar to this Province which make the Restrictions we have mentioned particularly necessary this Colony, tho', in its form of Government, nominally indeed the same with those which are under the immediate Controul of the Crown, consisting, like them, of a Governor, Counsel, & Assembly, is in reality extreamly Different.

"The Governor and the Assembly being the only Branches of the Legislature, and the only purpose of the Council being to assist the Governor with their Advice, not that their Consent is in any manner necessary, and their Advice he may adopt or reject as he thinks proper; By which means there is not in this Colony, as in other Governments, or as in the mother Country, any intermediate power that may interpose between the Incroachments of the As-

sembly on the one hand, or the oppression of the Proprietaries on the other. The Assembly, my Lords, Claims likewise to be intituled, from its Institution, to the Possession of very extraordinary powers, to be a Body perpetually subsisting, subject neither to prorogation or dissolution, by the authority of the Governor. It seems, therefore, particularly necessary, by the Constitutional Interposition of the Crown, to restrain the powers of the Assembly sufficiently great by its Institution, from becoming Exorbitant beyond measure by it Encroachments; And to protect likewise the rights of his Majesty, which have been gradually departed from by the Proprietaries, and which must always be invaded, while the prerogatives of Royalty are placed in the feeble hands of Individuals, and the Authority of the Crown is to be Exercised without the powers of the Crown to support it.

"We are, my Lords,

"Your Lordships' most obd^{t} and most Humble Servt^{s},

"DUNK HALIFAX,
"SOAME JENYNS,
"W. G. HAMILTON,
"W. SLOPER,
"ED. ELIOT.

"Whitehall, June, 1760."

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"*His Majesty's Order of Council on the Report of the Lords of the Privy Council for Plantation Affairs.*

"At the Court at Kensington, the 2d day of September, 1760.

"PRESENT:

"The King's most Excellent Majesty.

"Arch Bishop of Canterbury,	Viscount Falmouth,
"Lord President,	Viscount Barrington,
"Duke of New Castle,	Lord Berkley, of Stratton,
"Earl of Cholmondeley,	Lord Mansfield.
"Earl of Halifax,	

"WHEREAS, there was this day read at the Board, a Report from the Right Honourable, the Lords of the Committee of His Majesty's most Honourable Privy Council for Plantation Affairs, upon considering Nineteen Acts passed in the Province of Pennsylvania, in the Years 1758 and 1759, Which Report is dated the 28th of last Month, and is in the Words following, vizt:

"'Your Majesty having been pleased by your Orders in Council of the 16th of February and thirteenth of March last, to refer unto this Committee Nineteen Acts passed in the Province of Pennsylvania, in the years 1758 and 1759, as likewise a Petition of the Proprietaries of the said Province, complaining of Eleven of the said Acts, and praying to be heard thereupon before they receive

your Majesty's Royal Confirmation, The Lords of the Committee thought it proper to transmit the said Acts, together with the said Petition to the Lords Commissioners for Trade and Plantations, to examine into all the said Nineteen Acts, and to hear the Petitioners upon such of the said Acts against which they had made their Complaint, and the said Lords Commissioners having accordingly examined into the said Acts, and heard Counsel upon the Petition of the said Proprietaries, against Eleven of them, as likewise Counsel on the behalf of the House of Representatives of the said Province in support of the said Eleven Acts, the said Lords Commissioners have made their Report upon all the said Acts to this Committee, and it appearing by the said Report that the said Lords Commissioners were of opinion that Seven out of the said Eleven Acts complained of by the said Proprietaries, was proper to be repealed by your Majesty, the Agents for the House of Representatives made application to this Committee, praying to be heard in support of the said Seven Acts, and having entered into the usual Security, according to the Rules of the Council Board, to be answerable for Costs in case it should be judged necessary to require them to pay the same, the Lords of the Committee thought proper to comply with their request, and accordingly on the 27th of this Instant, and likewise on this Day, took the said Nineteen Acts and Report into consideration, and heard Counsel on behalf of the said Agents in support of the said seven Acts, as likewise Counsel on behalf of the said Proprietaries against the same, and do agree humbly to report to your Majesty:

"'That as to the six following Acts Entituled 'An Act for re-emitting the Bills of credit of this Province, heretofore re-emitted on Loan, and for Striking the further Sum of thirty-Six thousand Six Hundred and fifty Pounds, to enable the Trustees to lend fifty thousand pounds to Colonel John Hunter, Agent for the Contractors with the Right Honourable the Lords Commissioners of his Majesty's Treasury for his Majesty's Service,' (passed 20 June, 1759).

"'A Supplement to the Act intituled 'an Act for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, and for striking the further Sum of thirty-Six Thousand Six Hundred and Fifty pounds, to enable the Trustees to lend fifty thousand pounds to Colonel John Hunter, Agent for the Contractors with the Right Honourable the Lords Commissioners of his Majesty's Treasury, for His Majesty's Service,' (Passed 29th September, 1759).

"'An Act for recording of Warrants and Surveys, and for rendering the real Estates and property within this Province more Secure,' (passed 7th July, 1759).

"'An Act for the more effectual Suppressing and preventing of Lotteries and Plays,' (passed 20th June, 1759.'

"'A Supplement to the Act Intituled 'an Act for establishing Courts of Judicature in this Province,' (passed 29th September, 1759).

"'An Act for the relief of the Heirs, Devisees, and Assignees of Persons born out of the King's Liegance, who have been Owners of Lands within this Province, and have died unnaturalized,' (passed 20th June, 1759).

"'The Lords of the Committee are of opinion that it may be advisable for your Majesty to adjudge and declare under your Privy Seal, all the said Six Acts to be void.

"'That as to the Act Intituled 'An Act for granting to His Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the manner herein after directed, and for providing a fund for Sinking the said Bills of Credit by a tax on all Estates, Real and Personal, and Taxables within this Province', (passed 17th April, 1759).

"'The Lords of the Committee were of opinion that the said Act is fundamentally wrong and unjust, and ought to be repealed, unless the following Alterations and Amendments could be made therein, vizt:

"'1st. That the real Estates to be taxed, be defined with Precision, so as not to Include the unsurveyed waste Land belonging to the Proprietaries.

"'2d. That the Located uncultivated Lands belonging to the Proprietaries, shall not be assessed higher than the lowest Rate at which any located uncultivated Lands belonging to the Inhabitants shall be assessed.

"'3. That all Lands not granted by the Proprietaries within Boroughs and Towns, be deemed located uncultivated Lands, and rated accordingly, and not as Lots.

"'4. That the Governor's Consent and approbation be made necessary to every issue and Application of the Money to be raised by virtue of such Act.

"'5. That Provincial Commissioners be named to hear and determine Appeals brought on the part of the Inhabitants, as well as of the Proprietaries.

"'6. That the payments by the Tenants to the Proprietaries of their Rents, shall be according to the terms of their respective Grants, as if such Act had never been passed.

"'The Proprietaries, Thomas Penn and Richard Penn, and Benj^{m}. Franklin and Robert Charles, Agents for the Province, being acquainted with the opinion of this Committee, the Proprietaries declared, that for the sake of peace, and to avoid further Contest, they would Instruct their Governor to Assent to an Act for discharging the said debt of One Hundred thousand Pounds, in the form of the said Act now under Consideration, so altered and Amended.

"'And the said Agents for the Province proposed, that in Case this present Act should not be repealed, they would undertake that

the Assembly will prepare, pass the Assembly, and offer to the Governor, An Act to amend this Act in such manner as if it had originally been penned according to the Amendments and alterations above proposed, and will indemnify the Proprietaries from any damage they may sustain by such Act not being so prepared, passed by the Assembly, and offered to the Governor, and have signed such undertaking in the Books of the Council Office, in the following Words:

"'We, the undersigned, Benjamin Franklin and Robert Charles, Agents for the Province of Pennsylvania, do, hereby Consent, that in Case an Act passed in the said Province, in April, 1759, Intituled 'An Act for Granting to His Majesty the Sum of One Hundred thousand pounds, and for Striking the same in Bills of Credit in the manner herein after directed, and for providing a Fund for sinking the said Bills of Credit by a tax on all Estates, Real and Personal, and Taxables within this Province;' shall not be repealed by His Majesty in Council, We the said Agents, do undertake, that the Assembly of Pennsylvania will prepare, and pass, and offer to the Governor of the said Province of Pennsylvania, An Act to amend the aforementioned Act according to the Amendments proposed in the Report made by the Lords of the Committee of Council this day, (upon the said One Hundred Thousand pound Act, and other Pennsylvania Acts), and we indemnify the Proprietaries from any damage that they may sustain by such Act not being so prepared and passed by the Assembly, and offered to the Governor. Witness our hands, this 28th day of August, 1760.'

"Lest some Inconveniencys should arise from the Repeal of the said Act in respect of the good purposes thereof, the Lords of the Committee are humbly of opinion, that your Majesty may rely upon this undertaking for the Assembly of Pennsylvania by their Agents, and permit this Act to Stand unrepealed, becanse the objections upon which this Committee should have founded their Advice, for the Repeal will certainly be remov'd in a way more agreeable and Convenient to the Province.

"'That as to the Eight following Acts, Intituled 'An Act for the continuance of an Act of Assembly of this Province, Intituled 'a supplementary Act to the Act Intituled 'An Act for preventing the exportation of bread and Flour not Merchantable, and for the new Appointment of Officers to put the said Law in execution,'''' (passed 27th September, 1758.)

"'An Act for the further continuance of an Act of Assembly of this Province, Intituled 'An Act for the continuance of an Act of Assembly of this Province, Intituled 'a Supplementary Act to the Act Intituled 'an Act for preventing the exportation of Bread and Flour not Merchantable, and for the new appointment of Officers to put the said Law in Execution,'''' (passed 19th Octr 1759.)

"'An Act to prevent the exportation of bad, or Unmerchantable Staves, Heading Boards, and Timber,' (passed 21st April, 1759.)

"'A Supplement to the Act Intituled 'An Act for regulating the Hire of Carriages to be employed in His Majesty's Service,' (passed 20th septr 1758).

"'A Supplement to an Act intituled 'an Act for preventing abuses in the Indian Trade, for supplying the Indians, Friends and Allies of Great Britain, with Goods at more easy Rates, and for Securing and Strengthening the Peace and friendship lately concluded wiih the Indians Inhabiting the Northren and Westren Frontiers of this Province,' (passed 17th April, 1759).

"A Supplement to the Act Intituled 'An Act for granting to His Majesty a Duty of Tonnage upon Ships and Vessels, and also certain Duties upon Wine, Rum, Brandy, and other Spirits, and a Duty upon Sugar, for supporting and maintaining the provincial Ship of War, for protecting the Trade of this Province, and other purposes for his Majesty's Service,' (passed 21st April, 1759).

"'An Act for regulating the Hire of Carriages to be imployed in His Majesty's Service, (passed 21 April, 1759).

"'An Act to continue an Act Intituled 'an Act for directing the Choice of Inspectors in the Counties of Chester, Lancaster, York, Cumberland, Berks, and Northampton,' (passed 29th Sertember, 1759).

"'The Lords of the Committee do humbly Report to your Majesty that they have no objection thereto.

"'And the Lords of the Committee do further humbly Report to your Majesty, that as to the Act Intituled 'An Act for appointing an Agent to apply for and receive the distributive Share and proportion which shall be assigned to this Province, of the Sum of money granted by Parliament to His Majesty's Colonies in America,' (passed 29th September, 1759).

"The Lords Commissioners for Trade and Plantations not having offered any objection to this Act, it has been permitted to run out six months since it was first laid before your Majesty, and by that means it stands confirmed by virtue of the Proprietaries Charter.

"'And that with regard to the three following Acts Entituled

"'An Act in addition to An Act intituled 'An Act for regulating the Hire of Carriages to be employed in his Majesty's Service,' (passed 29th Septmr 1758).'

"'An Act for extending several sections of an Act of Parliament, passed in the thirty Second year of the present Reign, intituled 'An Act for punishing Mutiny and disertion, and for the better payment of the Army and their Quarters,' (passed 21st April, 1759.)'

"'An Act for Regulating the Officers and Soldiers in the pay of this Province,' (passed 21st April, 1759).'

"'The Lords of the Committee do humbly report to your Majesty, that the said three Acts are expired, and that it will, therefore, be unnecessary for your Majesty to give any Orders thereupon.'

"His Majesty this day took the said Report into his Royal Consideration, and was pleased with the Advice of his Privy Council

to approve of all that is therein proposed to be done with respect to the said Laws; and having adjudged and declared void the Six Acts first mentioned in the said Report, His Majesty hath thought proper to direct the Lord Privy Seal to prepare and Pass under the Privy Seal a proper Instrument signifying such, his Majesty's Adjudication and Declaration of all the said Six Acts to be void; And His Majesty doth hereby further Declare and Order, that with respect to the Act for granting to His Majesty One hundred thousand Pounds, and for striking the same in Bills of Credit, &ca., the same do stand unrepealed; And as to the Eight following Acts, to which the Lords of the Committee have offered no Objection, His Majesty is hereby pleased to signify His Royal Approbation thereof, and the Proprietaries of Pennsylvania, their Lieutenant or Deputy Governor, and the Assembly of the said Province, and likewise all others whom it may Concern, are to take Notice and govern themselves accordingly.

"W. BLAIR."

Order of Council Declaring Six Acts of Assembly to be Void.

"At the Court at Kensington, the 2d day of September, 1760.

PRESENT:

"The King's most Excellent Majesty.

"Arch Bishop of Canterbury,	Viscount Falmouth,
"Lord President,	Viscount Barrington,
"Duke of Newcastle,	Lord Barkley, of Stratton,
"Earl of Cholmondeley,	Lord Mansfield,
"Earl of Halifax.	

"WHEREAS, in pursuance of the powers granted to the Proprietaries of the Province of Pennsylvania, by Letters patent under the the Great Seal, in the Reign of King Charles the Second, the Lieutenant Governor, under the Proprietaries and Representatives of the freemen of the said Province, in General Assembly, did, in June, July, and September, 1759, pass Six Acts, which have been transmitted to His Majesty's most Honourable Privy Council, and are Intituled as follow, viz:

"'An Act for re-emitting the Bills of Credit of this Province heretofore Re-emitted on Loan, and for striking the further Sum of thirty-Six thousand Six Hundred and fifty Pounds, to enable the Trustees to lend Fifty thousand pounds to Colonel Jn°. Hunter, Agent for the Contractors, with the Right Honourable the Lords Commissioners of His Majesty's Treasury for His Majesty's Service.'

"'A Supplement to the Act intituled 'An Act for Re-emitting the Bills of Credit of this Province heretofore Re-emitted on Loan, and for Striking the further sum of thirty-Six thousand Six Hun-

dred and fifty pounds, to enable the Trustees to lend Fifty thousand pounds to Colonel Jn°. Hunter, Agent for the Contractors, with the right Honourable the Lords Commissioners of His Majesty's Treasury for his Majesty's Service.' '

" 'An Act for recording of Warrants and Surveys, and for rendering the Real Estates and property within this Province more secure.'

" 'An Act for the more Effectual Suppressing and preventing of Lotteries and Plays.'

" 'A Supplement to the Act intituled 'An Act for establishing Courts of Judicature in this Province.' '

" 'An Act for the relief of the Heirs, Devisees and Assigns of of Persons born out of the King's Liegeance, who have been Owners of Lands within this Province, and have died unnaturalized.'

"*And Whereas*, His Majesty this day took the said Acts into his Royal Consideration, together with a Report made thereupon by the Right Honourable the Lords of the Committee of His Majesty's most Honourable Privy Council for Plantation Affairs, and doth Adjudge and Declare Void all the said Six Acts; And his Majesty doth hereby Order that the Right Honourable the Lord privy Seal do Cause to be forthwith prepared and passed under the privy Seal a proper Instrument, signifying His Majesty's aforementioned Judgment and Declaration of all the said Six Acts to be void.

"W. BLAIR."

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The Governor's Proclamation, proclaming Six Acts of Assembly Void.

"WHEREAS, his late most Excellent Majesty was pleased by his Order in Council, bearing date the Second day of September, 1760, to adjudge and declare void the Six following Acts of Assembly of this Province, passed in the year 1759, vizt:

" 'An Act for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, and for striking the further sum of £36,650, to enable the Trustees to lend £50,000 to Colonel John Hunter Agent for the Contractors, with the Right Honourable the Lords Commissioners of His Majesty's Treasury for His Majesty's Service,' (passed 29th September, 1759).

" 'A Supplement to the Act Intituled 'An Act for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, and for striking the further Sum of £36,650, to enable the Trustees to lend £50,000 to Colonel Jn°. Hunter, Agent for the Contractors, with the Right Honourable the Lords Commissioners of His Majesty's Treasury, for his Majesty's Service' ' (passed 29th Septm^{r}, 1759).

"'An Act for recording of Warrants and Surveys, and for rendering the real Estates and property within this Province more secure' (passed 7th July, 1759).

"'An Act for the more effectual Suppressing and preventing of Lotteries and Plays' (passed 20th June, 1759).

"'A Supplement to the Act intituled 'An Act for establishing Courts of Judicature in this Province'' (passed 29th September, 1759).

"'An Act for the relief of the Heirs, Devisees, and Assigns of persons born out of the King's Liegance, who have been Owners of Lands within this Province, and have died unnaturalized' (passed 20th June, 1759).

"I have, therefore, thought fit to signify and make known the same to all persons within this Government, in Order that they may take Notice thereof, and govern themselves Accordingly. In Testimony whereof, I have hereunto set my hand, and Caused the Great Seal of the said Province to be hereunto affixed at Philadelphia, this Twenty-Eighth day of January, in the first Year of the Reign of our Sovereign Lord, George the third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c., And in the Year of our Lord, One Thousand Seven Hundred and Sixty-one.

"JAMES HAMILTON.

"By His Honour's Command,

"RICHARD PETERS, Secretary.

"GOD SAVE THE KING."

A Message from the Governor to the Assembly.

"Gentlemen:

"Having received a Report of the Lords of the Committee of his late Majesty's most Honourable privy Council, upon Nineteen Acts of Assembly, passed in the Province of Pennsylvania in the years 1758, and 1759, and his said late Majesty's Order of Repeal of six of the said Acts, I think it incumbent on me to lay them before you, in Order that you may take Notice of them and govern yourselves accordingly.

"You will please to Observe that One of the Acts, vizt, the 'Act for Granting to His Majesty the Sum of One Hundred Thousand Pounds, and for Striking the same in Bills of Credit in the manner herein After directed, and for providing a fund for sinking the said Bills of Credit by a Tax on All Estates, real and personal, and Taxables within this Province' (passed in April, 1759), was order'd by his said late Majesty to stand unrepealed, on a proposal and express stipulation made and entered into by the Agents of this

Province, that the Assembly of Pennsylvania would prepare and pass, and offer to the Governor of the said Province An Act to to amend the aforementioned Act, and make it conformable to the Sentiments of the Lords of the Committee aforesaid, as specified in the said Report.

"I shall only add, at present, Gentlemen, that whenever you shall think proper to prepare and offer to me such a Bill, I shall think it my duty to concur with you by enacting it into a Law.

"JAMES HAMILTON.

"January 28th, 1761."

At a Council held at Philadelphia, on Friday, the 30th January, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Benjamin Shoemaker, Richard Peters, } Esquires.
Lynford Lardner, Thos. Cadwalader, }

Yesterday the Assembly sent to the Governor an Answer to his Message of Condolence and Congratulation on the death of his late, and the Accession of his present Majesty, in these Words:

A Message from the Assembly to the Governor.

"May it Please your Honour:

"Fully sensible of the Great Loss which the English Dominions in general, and these Colonies in particular, have sustained in the death of his late most excellent Majesty, we hold it our indispensible Duty to present to His Majesty an Address of Condolance on this affecting Occasion, and at the Same time to congratulate His accession to the Imperial Throne of his Ancestors, which he has ascended with the universal Assent and Applause of an affectionate, Loyal, and united people; but as we apprehend that distinct Addresses from the different Branches of the Legislature are not only supported by precedents, but appear to us more dutiful in the manner we incline to address his Majesty seperately in Behalf of the people we represent. Nevertheless, we beg leave to return you our hearty thanks for your kind offer on this Occasion.

"Signed by order of the House,

"ISAAC NORRIS, *Speaker.*

"January 29, 1761."

And as they did not incline to join with his Honour and the Council in an Address to the King, the Governor having prepared the draught of an Address, the same was read and approved, and

ordered to be transcribed, in Order to be sent by the first Vessel that should sail for England or Ireland, to the Proprietaries, to be presented by them to His Majesty.

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"WHITEHALL, April 24th, 1761.

"The Following Address of the Lieutenant Governor and Council of the Province of Pennsylvania and Counties of New-Castle, Kent, and Sussex, upon Delaware, in America, has been presented to his Majesty by Thomas Penn and Richard Penn, Esquires, Proprietaries of the said Province, being introduced by the Lord of His Majesty's Bed Chamber in waiting; Which Address his Majesty was pleased to receive very graciously.

"'*To the King's Most Excellent Majesty,*

"'*The Humble Address of the Lieutentant Governor and Council of the Province of Pennsylvania, and Counties of New Castle, Kent, and Sussex, upon Delaware, in America:*

"'Most Gracious Sovereign:

"'Your Majesty's most dutiful and loyal Subjects, the Lieutenant Governor and Council of your Province of Pennsylvania, and Counties of New Castle, Kent, and Sussex, upon Delaware, in America, humbly beg leave to take this first opportunity which our distant situation allows of joining the universal Voice of your faithful people, in most cordial Condolonce with your Majesty on the loss of our late most Excellent Sovereign, a Prince whose Name will be sacred to posterity, and his Virtues a model to all succeeding good Princes.

"'Much is due, Sir, to the memory of your Illustrious Grandfather from Britons of every Clime and degree. But we, who inhabit these Colonies, are, in a more peculiar manner, bound to remember him with the warmest Gratitude as our kind nursing Father, and most zealous protector against the Machinations and attempts of our powerful and enterprizing Enemies.

"'Nor Could any thing alleviate the sorrow which we feel on the sudden loss of so gracious a King, in the full Career of Glory, Honour, and Success, but the Consideration that his Sceptre hath devolved to a Prince whose early Virtues and known Affection to his people and Native Country, afford the most agreeable presages that he will magnanimously pursue the Vigour and Wisdom of those Measures, by which His illustrious progenitor became feared abroad and beloved at home.

"'May your Majesty be graciously pleased to accept of our sincere Congratulations on your happy Accession to the Government of so

great a people, with our fervent Prayers that your Reign may be long and happy over them, and may we be permitted, in all Humility, to add the most earnest Assurances of our continual Endeavours to demonstrate our Loyalty, Duty, and Obedience by every Act in our power.

"'By Order of the Governor and Council, in Council, the Thirtieth day of January, in the first year of His Majesty's Reign, and in the Year of our Lord, One thousand Seven hundred and Sixty-One.

"'RICHARD PETERS, *Secretary.*'"

The Governor being reminded that the Courts of Quarter Session and Common Pleas in all the Counties were coming on, and that next week the Court would be held at Lancaster for that County, he issued supersedents under the great Seal to the persons who had exercised the Offices of Judges of the Common Pleas in that County, under the Law lately passed and repealed, Entituled "An Act for establishing Courts of Judicature in this Province," vizt: to Emanuel Carpenter, Isaac Saunders, Calvin Cooper, John Hobson, and John Douglass.

He likewise issued a General Commission of the peace for Lancaster County, wherein the following persons were appointed Justices of the Peace and of the Common Pleas, vizt: Emanuel Carpenter, Isaac Saunders, William Jevon, Adam Simon Kuhn, Robert Thompson, Edward Shippen, Andrew Work, John Allison, Calvin Cooper, Adam Reed, Thomas Foster, Isaac Richardson, John Hay, Zacheus Davis, William Hamilton.

The Governor ordered the Clerk of the Peace to record the Supersedents, and read them in open Court before the Qualification of the new Justices.

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February 7th, 1761.

A new Commission of the peace, issued under the great Seal for the County of Berks, wherein the following Persons were appointed Justices of the Peace and of the Common Pleas, vizt: Francis Parvin, Jonas Seely, William Bird, William Maugridge, Jacob Levan, James Read, Peter Spycker, Joseph Millard, Benjamin Lightfoot, George Webb.

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February 14th, 1761.

The Governor, not having received an Answer from the Assembly, to his Message of the 28th January, thought proper to press the House for an Answer by the following Message:

A Message from the Governor to the Assembly.

"Gentlemen:

"With my Message of the twenty-eighth of January last, I laid before you his late Majesty's Order in Council, containing a Repeal of Six Acts of Assembly passed in this Province, in the Year One thousand Seven Hundred and fifty-Nine.

"At the same time I laid before you the Report of a Committee of his Majesty's most Honourable privy Council, with respect to one other Act Intituled 'An Act for granting to his Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the manner hereinafter directed, and for providing a fund for sinking the said Bills of Credit, by a tax on all Estates, real and personal, and Taxables within this Province,' By which said Report it appears that your Agents in England, in order to prevent the Repeal of the said Act at that time, did propose and undertake, by an agreement signed by them in the Books of the Council Office, that in Case the said Act should not be repealed, the Assembly of Pennsylvania would prepare, pass, and offer to the Governor of this Province, an Act to amend the aforementioned Act according to the Amendments proposed in the Report of the Lords of the Committee of Council, now lying before you; In consequence of which Engagement, and a Representation made to him by the Lords of the said Committee, that he might Safely rely on this Undertaking for the Assembly by their Agents, His said late Majesty was graciously pleased to permit the said Act to stand unrepealed.

"And I acquainted you in my said Message, that whenever you should think proper to prepare and offer to me such a Bill, I should be ready to concur with you in It, by enacting it into a Law.

"But as I have received no Answer from you on this head, and am under the necessity of transmitting an Account to England as early as possible, whether you will, or will not comply with the Engagement your Agents have entered into on your behalf, I must press you to take this Matter into your immediate Consideration, and acquaint me with your Determination thereon.

"JAMES HAMILTON.

"February 14th, 1761."

At a Council held at Philadelphia on Tuesday the 17th February, 1761.

PRESENT:

Benjamin Shoemaker, Richard Peters, } Esquires.
Lynford Lardner, Thoˢ Cadwalader, }

The Governor by Letter acquainted the Council that he was two much indisposed to venture out into the cold Air, and desired

they would proceed to consider the Matters that they were called for, which would be laid before them by the Secretary, and accordingly, he by order of the Governor, informed the Council that some people from the Colony of Connecticut had made a Settlement in the upper parts of Northampton County towards the Close of the last Summer, and that the Governor as soon as he had received an Account of it, sent the Sheriff and Magistrates of that County to the place were they were settled in order to apprise them of the Consequences of such Settlement, and to warn them off, and that he had scarce given these Orders, but Teedyuscung came to complain of it in a formal manner, that the Magistrates had made a report of their proceedings in writing, Copy of which he had sent to Sir William Johnston, and likewise, a Letter to the Governor of Connecticut, to desire him to recall such as had settled in this Province, and to prevent others from setling; but as it was not likely that Mr. Fitch could prevail with these disorderly people to forbear carrying into execution so favourable a Scheme, he proposed to make this matter known to the publick by proclamation, and had therefore prepared a draught of one for their Consideration, and after reading the Conferences with Teedyuscung, the Report of the Sheriff & Justices of Northampton County and the Governor's Letter to the Governor of Connecticut, the draught of the Proclamation was considered and approved, and they advised the Governor to publish it forthwith, and insert it at the head of the Pennsylvania Gazettee.

"*The Report of the Sheriff and Justices of Northampton County.*

"*To the Honourable James Hamilton, Esquire, Lieutenant Governor and Commander-in-Chief of the province of Pennsylvania, &ca.*

"We, Aron Dupui, Lewis Klotz, John Moor, and Lewis Gordon, beg leave to Report to your Honour.

"That in obedience to your Honour's Command, We having joined Company at the House of Mr. Dupui, set out from thence on Wednesday the 8th Instant, on our Journey to Cushietunk, where we arrived on Saturday following, and collected the following Intelligence, viz': That the Government of Connecticut, by virtue of their original Charter from the Crown, about six or seven years ago, granted unto a great number of Persons not less than eight or nine Hundred, who are called Proprietaries of a large Tract of Land in the Province of Pennsylvania, extending on the River Delaware thirty Miles, Horrizontal Measure, beginning nearly opposite to one Peter Kuykendahl's, in New Jersey, and so running Northwards the said extent, and Westwards to a Mountain lying something more than half way between Cushietunck and Susquehannah, in which Tract the Lands at Cushietunck are included, With full power to the said Proprietaries to purchase the said Tract from the Indians. That in Consequence of the said Grant, the said

Proprietaries did empower and appoint two of their own Number, Namely, Eldrickens and Whitney, to purchase the same or part thereof, from the Delaware Indians, the names of some of them follow, vizt: Mayhios, Mastohop, Attamesick, Westcrank, Christias, Mictauk, Wiselawah, Nolotock Pooth, the King Cattacool, Lawichcomet, Maudlin, Coloelateb, Makeshacomas, Quanaloch, Tangol, Metuxing, Monkychiss, Mechukings; which said purchase was made about Six years ago; That afterwards a second purchase was made for the said Proprietaries, by John Curtius & Peebody, Surveyor (who are also of the number of Proprietaries) from the said Indians, either as a farther purchase in extent, or in confirmation of the former; That the said Proprietaries have selected a certain number of themselves, whom they have appointed to be a committee to manage and transact all Business relating to the said Lands; who have accordingly laid out and surveyed the Same, and at Cushietunck have erected three Townships, each of which is to extend in length on Delaware ten Miles, and in breadth eight Miles. In the middle Township a large Town is laid out, consisting of eighty and odd Lots, two Hundred acres in each Lott, to each of which a Water Lott of ten Acres appertains; On the Lowlands are built three Logg Houses, One Saw Mill, one Grist Mill almost finished, and about thirty Cabbins for working people, their Number at present is about twenty men, besides Women and Children; about twenty more are gone home for want of Provisions; But they are in full expectation to be joined by One Hundred Families at least, in the Spring; That it is strongly affirmed that every individual Member of the upper House, and Chief part of the lower House of Assembly of Connecticut, are interested and concerned in the said purchase; the Governor has not yet thought proper to suffer his name to be made use of, but his Son, whose name is Fitch, is one of the Proprietaries; That the Lands are sold for 8 or 10 Dollars in hand for 200 Acres, twelve whereof to be cleared and improved, and a House built in three years, otherwise to be forfeited; That a large Sum of Money hath been raised and Sent home, in order to sollicit a Confirmation of this Grant to the said Proprietaries, or to get the ancient Charter renewed, which is said to be forfeited; and the better to affect the same, Affidavits (particularly the Affidavit of one Thomas Nottingham, who speaks the Delaware Tongue well, and negociated this Bargain with the Indians, and hath been of singular Service to us in collecting these Accounts, having since quarrelled with the Connecticut people),have been transmitted to England, of the said proprietaries purchasing the said Tract of Land, bona fide from the Indians, and of this Nottingham's being present when the purchase Money was paid; That the soil of the said Lands is said to be good in general, of the three Townships, the upper and lower is said to be very good, the Middle township, where they are settled, being but indifferent. But the deficiency of the Land is abundantly compensated by the goodness of timber, especially the White Pine, hard Maple, or Sugar Tree, Beech, wild Cherry, and

Black Birch, the finest and plentifulest in the world; That a right hath sold here for £40; a Right is supposed to contain 5,000 Acres.

"Here follow the names of some of the committee, who are also proprietaries, Viz^{t}:

"——— Fitch, Son to the present Governor of Connecticut.

"Isaac Tracey,	Benijah Geers,
"Gebish Fitch,	Hezekiah Huntingdon, Esqr, late
"John Curtius,	Governor,
"Elisha Tracey, Clerk,	Stephen Kinney,
"Benejah Parks,	Robert Kinnsman,
"——— Peebody, Surveyor,	John Burchard.
"Moses Thomas,	

"Here follow the names of some of the settlers: ——— Stanton, ——— Trim, Daniel Skinner, Timothy Skinner, Simon Corking, who hath been a Justice and Lieutenant in Connecticut, (a busy fellow and a ringleader), ——— Holly, John Smith, John Corkins, Jedediah Willis, Jedediah Willis, jun^{r}, James Adams, Benjamin Ashley, Nathan Chapman, Doctor Payne, ——— Kellick; That having given these people previous Notice that we had something of importance to deliver to them, about a dozen of them assembled in one of their Houses, where Mr. Gordon addressed them to this purpose: That the Governor of Pennsylvania being informed that some people from Connecticut had presumed to settle themselves on Lands at Cushiotunk, within his Province, but without his knowledge or permission, and as yet not purchased from the Indians, had sent us (declaring who we are) to enquire if the said Information was true, and if we found any person there to warn them off immediately; Which Mr. Gordon (after claiming as well those Lands at Cushietunk as the large Tract by the said Government of Connecticut, laid out and surveyed on Sasquehannah, as the undoubted Right and property of the Honourable the Proprietaries of Pennsylvania), accordingly did. To this it was answered that they claimed under the Connecticut Government & the Indian purchase, and that they would hold their Lands until it was decided by the highest Authority in whom the true title was vested.

"Dated the fifteenth day of October, Annoque Domini, 1760.

"AARON DUPUI.
"LEWIS KLOTZ.
"JOHN MOOR.
"LEWIS GORDON."

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The Governor's Proclamation.

"Whereas, Divers persons, the natural born Subjects of his Majesty, belonging to some of our neighboring Colonies, have lately come into this Province, and without any Licence or Grant from the Honourable Proprietaries, or Authority from the Government, have presumed in a body to possess themselves of and settle upon

a large Tract of Land in this Province, not yet purchased from the Indians near Cushietunck, on the River Delaware, and in the upper parts of Northampton County, and are endeavouring to persuade and inveigle many of the Inhabitants of this and the neighboring Provinces, to confederate and join with in their illegal and dangerous Designs, And to assist in settling and holding the said Lands by strong Hand: *And whereas*, the Delaware Chief, Teedyuscung hath made a very earnest and formal Complaint and Remonstrance to me against the said Practices, insisting that the intruders should be immediately removed by the Government to which they belonged, or by me, and declared if this was not done the Indians would come and remove them by force, and do themselves justice, with which he desired they might be made acquainted beforehand, that they might not pretend Ignorance, which has been since accordingly done by my order.

"Wherefore, as well to assert the just Rights of the Proprietaries of this Province to the said Lands, and to preserve the peace and friendship which is now so happily restored and subsisting between us and the Indians, and prevent the terrible consequences that must necessarily arise, by their carrying into Execution their Threats of removing by force the Intruders on the said Lands, as also to warn and prevent any of the Inhabitants of this province from being unwarily drawn in to join the said intruders in their intended design of making settlements in the said Indian Country, I have judged it proper, by and with the Advice of the Council, to issue this proclamation, hereby Strictly requiring and enjoining in his Majesty's Name all and every person and Persons already settled or residing on the said Lands, immediately to depart and move away from the same; And do hereby forbid all His Majesty's Subjects of this or any other Province or Colony, on any pretence whatsoever, to intrude upon, settle, or possess any of the said Lands, or any other of the Lands within the Limits of this province not yet purchased of the Indians, as they will answer the contrary at their peril, and on pain of being prosecuted with the utmost Rigour of the Law; And I do hereby also strictly charge, enjoin, and require all Sheriffs, Magistrates, Peace Officers, and all other His Majesty's Liege people within this Province, to exert themselves, and use their utmost Endeavours to prosecute and bring to Justice and condign Punishment all offenders in the premises.

"*Given* under my hand and the Great Seal of the said Province, at Philadelphia, the twentieth day of February, in the year of our Lord, One thousand Seven Hundred & Sixty-One, And in the first year of the reign of our Sovereign Lord, George the third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &ca.

"JAMES HAMILTON.

"By his Honour's Command.

"RICHARD PETERS, Secretary.

"GOD SAVE THE KING."

A Letter from Governor Hamilton to the Governor of Connecticut.

"PHILADELPHIA, 10th Feb^{y}, 1761.

"Sir:

"You may please to remember that in the beginning of the year 1754, I did myself the Honour to inform Governor Wolcot and you 'that some of the Inhabitants of the Colony of Connecticut were met going to Wyomink, an Indian Town on the Sasquehannah, near the Center of this province, and in their way gave out that they had made a purchase of those Lands from the Mohock Indians, and had the Authority of their Government to come and settle them, as being included within the Boundaries of the Connecticut Charter.'

"Sensiable of the mischiefs that would arise to the publick from this rash proceeding, I earnestly requested that an immediate Stop might be put to it; And both Mr. Wilcot and you in your Answer were pleased to assure me that your Government knew nothing of it, and that you would use your endeavours to prevent any farther progress of what you justly termed so wild a Scheme.

"Mr. Morris, who succeeded me that year in the Government of this Province on of your people, continuing to raise great disturbances in the minds of our Inhabitants and of the Indians by the prosecution of that design, wrote to you a second Letter, wherein he fully sat forth the repeated covenants made by the Six Nations with the proprietaries of this Province, that they would not sell any of the Lands comprized within the Charter of Pennsylvania to any other person or persons, as well as the several Grants made by the Sasquehannah Indians of the Lands lying on that River and its Branches, and many other particulars that passed at Albany in the year 1753 respecting this design, and remonstrated strongly against the execution of it, as he judged it would infallibly bring on an Indian War.

"I was in great hopes the matters contained in those Letters when communicated to the persons concerned in that most illegal and chimerical Scheme, would have opened their Eyes and made them desist intirely from any further prosecution of it; But to my great surprise, I have been lately informed that some of your people have begun to revive that project, and are actually making Settlements in the Indian Country near Cushietunck, on the river Delaware, and in the upper parts of Northampton County.

"On receipt of this intelligence, I immediately dispatched the Sheriff and some of the Magistrates of that County to go thither, with orders to warn the Intruders off, to claim those Lands for our proprietaries, and fully apprize them of the mischievous Consequences that must attend their attempting to make Settlements there.

"They were scarce set out on their Journey, before Teedyuscung, the Chief of the Delawares, came to me, and in a very earnest and

formal manner acquainted me that the Indians had heard of a Settlement being begun by some people from the Eastward on their Lands, and insisted that they should be immediately removed by the Government to which they belonged, or by me, and sayed that if this was not done the Indians would come and remove them by force, and do themselves Justice, with which he desired they might be made acquainted before hand, that they might not pretend ignorance; I pacified him for the present by assuring him that every Measure in the power of this Government should be taken to prevent such a settlement, acquainting him that on my being informed of this unexpected invasion of the Indian and proprietary rights, I had sent the Sheriff and Magistrates of Northampton County to inquire into it, and would let him know on their return all that had been done.

"I am further to acquaint you that those Gentlemen on their return have reported to me that they went to the place and found about twenty Families settled there, by some of whom they were informed that the Government of Connecticut, in virtue of their original Charter from the Crown, had about 6 or 7 years ago granted to a great Number of their people (not less than 8 or 900, who are Called proprietaries) of a large [tract] of Land within the limits of the province of Pennsylvania, extending on the River Delaware 30 miles (within which the Lands at Cushietunck are included), with full power to the said proprietaries to purchase the said Tract from the Indians, and that in consequence of that Grant, they had purchased it from the Indians, laid it out in Townships, and were about to settle it as fast as they could, expecting 100 Families more from Connecticut to join them in the Spring.

"The claim and strong Remonstration made by the Gentlemen Commissioned by me for that purpose, had no effect on your people, who still declared they were resolved to settle and hold those under the said Grant from your Government and their said Indian purchases, till it should be determined against them by the Crown.

"Their Claim, under the Connecticut Charter, is, I think fully answered in mine and Mr. Morris's former Letters on that subject, to which I beg leave to refer you; And as to their pretended purchases of that Land from the Indians, the Circumstances of that affair, and Lydices's Management in obtaining those Deeds at Albany from Single Indians or parties of Indians, as they happened to come there on other occasions, are too well known to us and to Sir William Johnson and the principal Six Nation Indians, to give us any apprehensions of that part of your people's Claim availing them any thing. And with respect to their pretensions under a purchase from Jersey Indians, it is notorious they never had any Right to those Lands.

"I cannot perswade myself, Sir, notwithstanding what these Settlers are pleased to say, that they have received any Countenance or Encouragement from your Government in taking possession of

Lands which undoubtedly belong to the Proprietaries of this Province by the Royal Charter, wherefore I think it my duty once more to request, that you will be pleased to use your utmost Influence with them to desist from prosecuting their unjust Scheme any further, and to remove immediately with their Families, without running the Risque of being cut off by the Indians, and involving us in a new War with them, which is an Event very much to be dreaded, or putting me to the disagreeable Necessity of using legal Measures to remove them. I am further to request you will please to favour me with your Answer hereto as soon as, with convenience, you can, advising me of any steps you shall think proper to take upon the occasion, in which you will much oblige.

"Your most Humble Servt,
"JAMES HAMILTON."

A Letter from Governor Hamilton to Sir William Johnson.

"Sir:

"Teedyuscung, in a visit he lately made me, shewed me a Letter from you of the 1st of March last, wherein: 'After acquainting him that His Majesty had ordered you to examine thoroughly into the Matters complained of by him in the Conferences at Easton, in July and August, 1757, you desired to know when and where it would be most Convenient for him and the Indians concerned to meet you, and the Sooner you knew the better, that you might give Notice to the Proprietary Commissioners to attend.'

"He further told me that this Letter was brought to him by his Son Just as he was setting out on his Western Journey, and that he had hereto made no Answer to it.

"Then taking a String of Wampum he expressed great unwillingness to have this Complaint heard by one who he said was a Stranger to him, and acquainted me that the Indians were all desirous it should be heard by me as Governor of this province, and that there would be a good opportunity of doing it at the great Meeting of Western Indians which was intended to be at Philadelphia the next Summer, where all the Indians concerned in those Complaints had agreed to attend, expecting to have them heard and adjusted.

"I know not whence this change in Teedyuscung arises, but cannot help suspecting that it may be suggested to him by some people here, with whom he is very intimate, and who might give him this Advice that they might have the entire management of him, and this whole Affair, during the Treaty, in opposition to and dislike of the proprietaries. This made me express great reluctance at his proposal, and I returned him no other answer than that I would take his request into Consideration.

"I have ever been of opinion that you, who are his Majestie's Agent for Indian Affairs, and are perfectly well acquainted with the Rights, Sentiments, and Interests of the Six Nation Indians, should not only hear and determine this, but all other Matters relative to Indians, and was I to Follow my Inclination as well as Judgment, I would have rejected the proposal; but if nevertheless, these officious people would not interfere, and you shall judge from the present Circumstances of affairs, and the minds of the Six Nation Indians, who may be consulted as being concerned to support their own Rights and proceedings, that my hearing it will contribute to the General good, I will not decline it; But then, should you advise me to undertake this, I beg leave to use the precaution of assuring you that if I find any undue influence, or any partial interferings from the people of this City, I will desist, and leave it to be heard by you.

"I am further to acquaint you that we are like to have fresh trouble, and I am afraid the renewal of the Indian War, from a most wicked revival of the Connecticut Claims. These restless Spirits have actually come at the Close of the last Summer, and laid out Townships on the West Side of Delaware River, on lands not purchased of the Indians, and left some of their people to retain the possession during the Winter, intending to join them with vast Numbers in the Spring, and to carry all before them by force. As soon as I was informed that there were some Connecticut people settling over against Cushietunck, in the upper parts of Northampton County, opposite to the Jersey Station point, I sent the Sheriff and some of the Magistrates of that County to enquire into their Pretention and proceedings, and to warn them off, and on their return they made me a Report in writing, of which I inclose you a Copy, that you may see what wild work they are carrying on, and what imminent danger there is of our provoking the Indians to fresh hostilities. Indeed, what can they think of us when they seee the blood of our Inhabitants scarce covered but we are quarelling for Land that belongs to neither of us, but to them.

"I had scarce sent my Dispatches to the Sheriff and Magistrates, but Teedyuscung came, in great concern, to inform me of this Settlement, and to insist that the Government those people came from should be desired to recall them, and if they did not, that I should remove them, and if Neither Government would do it, he assured me the Indians would do themselves Justice.

"Accordingly, I have wrote a Letter to Governor Fitch to use his utmost influence to recall the people already settled, and to prevent others from coming, and have set before him the bad consequences that may arise, as well from the Indians as from the opposition they will certainly meet with from this Government.

"As I expect, nothing Governor Fitch can say or do, or my Letter will avail any thing, I was thinking to write an Account of this unhappy Proceeding to General Amherst, and desire his Interposi-

tion with the Colony of Connecticut, as it may obstruct the King's Service to have such a flagrant piece of Injustice offered to the Indians, who may, thereupon, be induced to withdraw their friendship from the English interest, and again become our Enemies; but it may, perhaps, be better if you will be so good as to take that task upon you and set it in its true light before the General, and desire him to use his Influence with Governor Fitch to have this dangerous attempt laid aside.

"I am under very great concern, least the Six Nations should lay any thing to the charge of this Province, and therefore request that you will be pleased to represent this Attempt to them, together with what I am doing to prevent it, and assure them that nothing shall be wanting on my part to vindicate their and the proprietary Rights from this mischievous set of Intruders; And if any thing occurs to you that you shall think proper for me to do, I shall be infinitely obliged to you if you will be pleased to communicate it.

I am, with very great respect, Sir,

"Your most Obed$^{t.}$ Hum$^{e.}$ Servant,

"JAMES HAMILTON."

This day the Governor received the following Message from the Assembly:

A Message to the Governor from the Assembly.

"May it please your Honour:

"After we had considered the Matters recommended to us in your Message of the Twenty-eighth of January last, respecting the Service of the Crown and the defence of the Province, we immediately proceeded upon the Consideration of your other Message of the same date, relating to the Engagements entered into by our Agents in the Council Books, but as the Matters contained in those Engagements are of such a Nature as to require a Disquisition into a Number of Facts, in order to enable us to form a Judgment of what may be proper to be done therein, and of the manner of doing it, a Committee was immediately appointed to make the necessary Inquiries, and to report the same to the House. This Committee, though they have made a Considerable progress in the Business referred to them, have not been able as yet to make their Report, but as Soon as that Shall be done, and the House have come to a Determination thereon, your Honour Shall be made acquainted with our Resolutions on this Head.

"Signed by order of the House.

"ISAAC NORRIS, *Speaker.*

"February 17th, 1761."

On the 20th February, 1761, The House sent to the Governor for his Concurrence Three Bills, vizt:

One for regulating the Assize of Bread.

Another for regulating Waggoners, Carters, Draymen, and Porters, within the City of Philadelphia. And a third, to enable Thomas York, Daniel Rundle, James Child, Peter Chevalier, Junior, and Enoch Story, to sell the Provincial Ship of War.

At a Council held at Philadelphia, Munday the 23d day of February, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &$^{ca.}$

Benjamin Shoemaker, Richard Peters,
Lynford Lardner, Benjamin Chew, } Esquires.
Thomas Cadwalader,

The Minutes of Council from the 6th of January last, were read and approved.

Chester Court coming on next Week, the list of the Justices in the last Commission was read, and after considering the same, and the Characters of such as were recommended for the new Commission, the following list was agreed upon, vizt: Thomas Worth, Samuel Flower, John Miller, Isaac Davis, Edward Brinton, Chief Burgess of Chester, Alexander Johnston, John Morton, John Culbertson, William Clingham, William Parker, Timothy Kirk, John Hannum, John Price, Roger Hunt, John Fairlamb, George Currie, Henry Hale Graham.

The Governor issued Supersedeas to Samuel Lightfoot, Edward Brenton, Thomas Worth and John Morton, to forbear the exercise of the Office of Judge of the Common Pleas for the said County of Chester, under the late Act Entituled "a Supplement to the Act Entituled 'An Act for establishing Courts of Judicature in the province,'" which has been repealed by his late Majesty.

At a Council held at Philadelphia, Tuesday the 24th February, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esq$^{r.}$ Lieutenant Governor, &$^{ca.}$

Benjamin Shoemaker, Richard Peters, } Esquires.
Thomas Cadwalader,

The several Bills that had been presented to the Governor for his Concurrence, were read, vizt:

A Bill entituled "an Act to enable certain Trustees to sell lands in the County of Philadelphia, in Trust for the use of the Minister of Oxford Church, and to receive the Voluntary Donations of the Inhabitants, and with the monies arising therefrom to purchase other Lands to be settled to the same use." And likewise,

A Bill entituled "An Act to enable the owners and possessors of the Northern district of Kingsess, Meadow Land, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Flood gates in repair, and to raise a fund to defray the Expenses thereof," were on Friday or Saturday presented to the Governor for His Consideration and Concurrence, but as the day is too far advanced to read all these Bills, the Council adjourned till to morrow morning at 10 O'Clock, twist reading.

A Petition from the Merchants against the last Bill, on consideration whereof, it was agreed that the Governor should send a Message to the Assembly, recommending the use requested in the petition.

The Bill for the regulating of Wagoners, Carters, Draymen & Porters, was amended.

The Bill for enabling Thomas Yorke, &ca., to sell the province Ship, and the Merchants' petition upon it, was again considered, and it was recommended to the Governor to send it down with a Message to the House to reconsider it and grant the petitioners their prayer.

A Message from the Governor to the Assembly.

"Gentlemen:

"Soon after you sent me up the Bill entituled 'An Act to enable Shomas Yorke, James Child, Daniel Rundle, Peter Chevalier and Enoch Story, or any three of them to sell the provincial Ship of War,' I received a petition from very many of the principal Merchants of this City, setting forth the great interruption given to Navigation almost every Winter by the Ice and the frequent Losses sustained for want of a place of Safety for their ships between the Capes and this Town; and that as the Surplus money to be disposed of by this Bill was raised and paid by the owners of Ships and importers of certain Commodities into this City; they had an intention of making Application to you for a different, and as they apprehend more usefull Disposition of it, namely, for the erecting Piers in some proper part of the river to secure their Ships from the Ice, but, that unfortunately this Bill had passed your House, and had been sent up for my concurrence before they had any Intimation that such a Bill was intended, and therefore praying that I would send down the Bill to your House for a Re-consideration.

"Sensible of the great inconveniences and Losses the Trade of the City Province is Subjected to from the Want of such protection or Security as is mentioned by the Petitioners, and being desirous to oblige so considerable Body of Men, by giving them an opportunity of applying to their Representatives in a Matter they think of

so much Importance, I have been Induced to comply with their request and to send down the Bill for your re-consideration, and at the same time to acquaint you that if upon hearing what can be said upon the Subject, you shall incline to alter the Appropriation of the money named in the Bill, and apply it to the purposes prayed for by the petitioners, I shall readily consent to it; if otherwise, I will give my assent to the Bill as it stands.

"JAMES HAMILTON.

"February 26th, 1751."

A Bill entituled "An Act to regulate the Assize of Bread" was presented to the Governor for his concurrence, and returned to the House with a Message that he would pass it.

At a Council held at Philadelphia, on saturday the 28th of February, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr. Lieutenant Governor, &^ca.

Benjamin Shoemaker, Thomas Cadwalader, Lynford Lardner, Richard Peters, } Esquires.

The Governor having recommended it to the Members some time ago to consider of proper persons for Justices for the County of Philadelphia, A list of names was made out and considered, and the following persons agreed upon, vizt.: the Members of Council, Alexander Stedman, William Plumsted, Septimus Robinson, John Potts, Rowland Evans, Henry Pawling, Samuel Ashmead, John Jones, Willm. Peters, Samuel Mifflin, Jacob Duche, Isaac Jones, William Cox, Thomas Willing, Daniel Benezet, Henry Harrison, Samuel Shoemaker, Edward Pennington, Joshua Howell, Evan Thomas, John Roberts, (Miller), Archib^d. McClean, Enoch Davies, William Dewees, John Coplin, George Evans, Isaac Ashiton, Jacob Hall, James Coultas, John Bull, William Mayberry, John Trump. Five Writts of Supersedeas were signed to forbid Thomas Yorke, Rowland Evans, John Potts, Samuel Wharton and John Hughes, late Judges of the Court of common Pleas, exercising any of the powers granted them by their respective Commissions under the late Governor Denny, which were during good behaviour, together with a Warrant, to affix the Great Seal to each of them.

A Bill Entituled "an Act to enable the owners and possessors of the Meadow at the West side of the mouth of Darby Creek, by the river Delaware, in the Township of Ridley, in Chester County, to keep the Banks, Dams, Sluices, and Floodgates in Repair for ever, and to raise a fund to defray the Expenses thereof," was delivered to the Governor and returned to the House with his Assent.

A Bill entituled "an Act for laying a Duty on Negroes and Mulatto Slaves imported into this Province," was presented to the Governor for his Concurrence.

A Petition from the Merchants of the City upon the Subject of the said Act, was presented and read in these Words:

A Petition from the Merchants against the Bill for Duty on the Negros.

"*To the Honourable JAMES HAMILTON, Esquire, Lieutenant Governor of the Province of Pennsylvania, &c., &c.,*

"*The Petition of Divers Merchants of the City of Philadelphia, Trading to His Majesty's Coloneys in the West Indies,*

"*Humbly Sheweth:*

"That we are informed there is now a Bill Before your Honour for your assent, laying a Duty on the importation of Negros, and that it is to take place immediately on the publication.

"We, the subscribers, ever desirous to extend the Trade of this Province, have seen, for some time past, the many inconveniencys the Inhabitants have suffer'd for want of Labourers and artificers, by numbers being inlisted for His Majesty's Service, and near a total Stop to the importation of German and other white Servants, have for some time encouraged the importation of Negros, and acquainted our friends and correspondents in several parts of His Majesty's dominions (who are no Way apprehensive of a Bill of this Nature), that an Advantage may be gained by the Introduction of Slaves, which will Likewise be a means of reducing the exorbitant price of Labour, and, in all probability, bring our Staple Commoditys to their usual prices; And as many of us have embarked in this Trade through the motives before mentioned, We humbly beg your honour will take into consideration the hardships we shall Labour under by such a Law taking immediate effect, when we have it not in our power to countermand our Orders or advise our friends; therefore humbly pray that such time may be allowed (before the Law takes place) as your honour shall think most Conducive to extricate your petitioners from the impending danger.

"Philadelphia, 1st March, 1761.

"John Bell,	Benjamin Levy,
"Humphry Robinson,	Henry Harrison,
"Reed & Pettit,	John & Jo^{s} Swift,
"William Coxe,	John Nixon,
"Charles Baths,	Daniel Rundle,
"Philip Kearney, j^{r},	Francis & Relfe,
"James Chalmers,	Stoker & Fuller,
"Joseph Wood,	Scott & McMichael,
"Willing, Morris & Co.,	John Inglis,
"Thos Riche,	David McMurtrie,
"David Franks,	Saml & Arch^{d} McCall,
"Hu. Donnaldson,	Joseph Marks."

The following persons were appointed Justices for the County of Bucks, vizt:

Alexander Graydon, Gilbert Hicks, Joseph Rockbuder, Thomas Janney, Joseph Hart, Richard Walker, Thomas Yardley, John Jemison, John Chapman, John Abrickam De Normandy, Jonathan Ingham, Jacob Bogart, George Taylor, William Falwell, and Patrick Davis.

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MEMORANDUM. the 3d of March, 1761.

The Governor having received a Letter from General Amherst, demanding the immediate raising of 300 Provincials, he laid the same before the House, with the following Message:

A Message from the Governor to the Assembly.

"Gentlemen:

"I herewith lay before you a Letter I have received from his Excellency, General Amherst, of the 27th of last Month, in which he is pleased to acquaint me that His Majesty's Service renders it indispensably necessary for him to move Vaughan's Regiment from their present Quarters to Philadelphia.

"And that having (through the present Situation of the Troops) no others to relieve them with, or to send in their Stead to the several Forts and Posts within the Communication to Pittsburgh (which, for the Security and protection of the Country, must be kept up, and cannot be done without Numbers), he is therefore under a necessity of desiring me to call you together, and to move you forthwith to raise Three Hundred Men, properly officered, for the above Service.

"I persuade myself, Gentlemen, You are so sensible of its Consequence to the Security of this Province, as well as to that of Pittsburgh itself, that a safe Communication between that important fortress and us, from whom it receives the principal part of its Supplies, should be maintained, that it will require no additional Reasons or Arguments to induce you to take that part upon you while the Necessity of Affairs require his Majesty's regular Forces to be employed in other Services.

"I do, therefore, recommend this Measure to your immediate Consideration, & flatter myself that you will enable me, with as little delay as possible, to comply with the General's Requisition.

"JAMES HAMILTON.

"March 3d, 1761."

A Letter from General Amherst to the Governor.

"NEW YORK, February 27th, 1761.

"Sir:

"His Majesty's service rendering it indispensably necessary that I should move Vaughan's Regiment from their present Quarters to Philadelphia, and, through the present Situation of the Troops, having no others to relieve them with, or to send in their Stead to the several Forts and Posts within the Communication to Pittsburgh (which, for the Security and protection of the Country, must be kept up, and cannot be done without proper Numbers), I am under a Necessity to desire that upon the Receipt hereof you will call your Assembly together, and move them forthwith to raise Three Hundred Men, properly officered, for the above Service, and that you will, immediately after they are so raised, cause said Levies to be directly set in Motion towards the above Forts & Posts, agreeable to the proportions which Brigadier General Monckton (who acquaints me that that Number is requisite) may allot to each.

"I am, with great Regard, Sir,

"Your most Obd$^{t.}$ Humble Serv$^{t.}$

"JEFF. AMHERST.

"To the Honourable JAMES HAMILTON, Esq$^{r.}$ Lieu$^{t.}$ Governor of the Province of Pennsylvania."

—

March 10th, 1761.

Whereupon, the Governor amended the Bill, making it commence at the end of Six Months after the passing it, and to continue only four Years; *And Whereas*, they had presumed to name Richard Pearne for the Collector of the Duties in the Body of the Bill, he sent the Bill back to the House, with the said Amendments, and the following Message:

A Message from the Governor to the Assembly.

"Gentlemen:

"I now return the Bill intituled 'An Act for laying a duty on Negros and Mulattoe Slaves imported into This Province,' with some Amendments, in order to make it more agreeable to, and consistent with the Nature of an English Constitution.

"For I cannot help observing, Gentlemen, that in the framing of this, you have not only fixed upon the Officer to put in execution, but have, likewise, inserted the name in the Bill, without having previously acquainted me with your intention, and obtained my concurrence to such Nomination.

"Nevertheless, although I am well assured from the best authority that this practice is altogether unconstitutional, and see no

foundation for it in the Charter of Privileges, or Laws of the Province, yet from my having nothing to object to the Gentlemen you have thought fit to name, I am induced, on the present Occasion, to wave the right inherent in me as one Branch of the Legislature, and to let the Bill stand as it does in that respect.

"But, at the same time, Gentlemen, I think myself obliged to acquaint you that in all future instances of appointing an Officer by Act of Assembly, I shall hold myself indispensably bound, in mentenance of His Majesty's Prerogative, to object to any officer that shall be named in such Bill, unless his appointment shall have been first mutually agreed upon betwixt you and me in a Conference for that purpose, however agreeable or acceptable to me the person might otherwise be.

"JAMES HAMILTON.

"March 10th, 1761."

March 10th, 1761.

The Governor thought it necessary to remind the House of his Message of the 14th of February, relating to the Stipulation entered into by their Agents with respect to the Supply Acts, and therefore sent them the following Message:

A Message from the Governor to the Assembly.

"Gentlemen:

"By your verbal Message, in answer to my written one of the fourteenth of February, in Relation to your passing and offering to me a Bill for amending (agreeable to the Report of a Committee of His Majesty's most Honourable privy Council, and the express Stipulation of your Agents in England), an Act passed in this Province in the year One thousand Seven Hundred and fifty-Nine, intituled 'An Act for granting to His Majesty the Sum of One Hundred Thousand Pounds, &c^a,' you were pleased to inform me that you then had the Matter under Consideration, and would, as soon as conveniently you could, acquaint me with your Determination thereon.

"Since which a good deal of time hath passed, but I have not heard anything further from you upon that Subject.

"I believe you will agree, Gentlemen, that in the whole progress of this Affair, I have neither pressed you unnecessarily, or endeavoured to straiten you in point of time for your Deliberations; but as the present session must soon come to a Close, and it is incumbent on me to transmit an Account of your proceedings herein, by the first opportunity, to Britain, I am under the Necessity of desiring that you will, as soon as possible, furnish me with your de-

terminate Answer, whether you will or will not comply with the Engagements entered into by your Agents in your Behalf, with respect to the passing and offering to me a Bill for amending the aforementioned Act according to the Amendments proposed in the Report of the Lords of the Committee aforesaid, and to the Stipulation of your own Agents.

"JAMES HAMILTON.

"March 10th, 1761."

—

Amendments to the Bill Entituled An Act for laying a Duty on Negroes and Mullattoe Slaves imported into this Province.

"Page 2d, Line . After the word [after] insert [the expiration of the Term of Six Months from].

"Page 19. dele from the word [Duty] at the end of the 8th Line, to the word [Province] inclusive, at the end of the 11th Line, and instead thereof say [*untill the end of the next Sitting of Assembly, and no longer, during which said sitting a new appointment shall be made by Act of General Assembly*].

"Page 21, Lines 9 & 10. Dele the words [Seven Years from and after the publication] and insert these words [Four Years from and after the Commencement]."

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March 17th, 1761.

The Governor received from the House a paper in answer to his Amendments of the Negro Bill:

The Assembly's Answer to the Governor's Amendments of Negro Act.

"Amendment 1st, Page 2, Line 6. The House request the Governor would be pleased to reconsider his Amendments, as they apprehend considerable Mischief may attend the posponing the Force of the Act for Six Months, as in that time great Numbers of Negroes may be imported from the West Indies and other places; Besides the House conceive no great Inconveniency or Loss can happen to the Merchant, as slaves are now in great Demand in the Neighboring Colonies, and to allow an Importation for six Months, would, they apprehend, be virtually a Bounty to the importer during that time, as no others can afterwards import them on equal terms, during the continuance of the Act.

"Amendment 2d, page 19. The House request the Governor would be pleased to recede from his Amendment, as it may render the Act ineffectual in Case of the Death or Resignation of the Governor, and Misbehaviour or death of the Officer happening at the

same time, for by an Act of this Province, passed in the 10th Year of Queen Ann, entituled 'An Act for the further securing the Administration of the Government,' no other Law under these Circumstances could be enacted for appointing an Officer to execute this Law.

"Amendment 3d, Page 21. The House agree to the Governor's Amendment."

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The Governor's reply to the Assembly's Answer to the Bill for laying a Duty on Negroes and Mulatto Slaves imported into this Province.

"Amendment 1st, Page 2, line 6. The Governor recedes from this Amendment.

"Amendment 2d, Page 19. The Governor adheres to his Amendment.

"March 11th, 1761."

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"March 12th, 1761.

The Governor sent to the House the following Message requiring an Answer to his of the 3d Instant, and after it was wrote he received a Letter from General Amherst, which he sent to the House with and in support of the Message.

A Message from the Governor to the Assembly.

"Gentlemen:

"As I look upon His Majesty's Service as well as the security of the Province to be nearly concerned in your complying with General Amherst's Requisition of the twenty-seventh of February last, communicated to you in my Message of the third Instant, I was in hopes before this time to have received an Answer signifying your willingness to accede to the Measure therein recommended.

"Which not having been the Case, I am under the necessity of applying to you again upon that subject, and of urging to you a speedy Compliance with the General's Request of Three Hundred Men properly officered, to serve as Garrisons at the several Forts and Posts within the Communication to Pittsburgh.

"And I do this with the greater Confidence of Success, as you are Sensible there yet remains in the Trustee's Hands undisposed of a Larger proportion of the Supply granted to his Majesty the last year than will probably be wanted for this Service.

"JAMES HAMILTON.

"March 12th, 1761."

A Letter from General Amherst to Governor Hamilton.

NEW YORK, March 9th 1761.

"Sir:

"As the Services I have in Command from his Majesty require a certain Quantity of Shipping which I have ordered to be taken up at Boston, New York, and Philadelphia, at the latter of which places I shall want Two Thousand Ton Iron, send Captain Pryce, Agent for Transports, with my Instructions, for the performance of that Service, and as in the execution of the Same he may Stand in need of your countenance and assistance, I must beg the favour that you will be pleased to grant him the same, which from your Zeal for His Majesty's Service, I am confident you will readily do, and I, therefore, flatter myself with his Speedy Success, as time presses, and that the Exigency will not admit of a delay.

"Since writing the above, I am favoured with your Letter of the fourth Instant, and am to thank you for your ready and immediate Acquiescence with my request in laying before your Assembly my requisition of the Twenty-Seventh Ult^o^, and for enforcing the Expediency of the Measure, and recommending a speedy Compliance with it, which I shall depend upon, as the good of his Majesty's Service and of the Province make it absolutely necessary, and I am, therefore, hopeful that I shall soon receive from you a confirmation of it.

"I am sorry at your indisposition, and hope this will find you perfectly recovered, being with the greatest truth,

"Sir, Your most Obed^t^ Humble Servt,

"JEFF. AMHERST.

"To the Honourable JAMES HAMILTON, Esqr, Lieu^t^ Governor of the Province of Pennsylvania."

The three following Bills having been presented to the Governor for his Concurrence, were agreed & returned to the House with a Message that he would pass them:

A Bill Entituled "An Act for the preservation of fish in the River Delaware, Sasquehannah, and Lehigh, commonly called the Western Branch of Delaware."

A Bill Entituled "An Act for making the River Schuylkill navigable, and for the preservation of the fish in the said River."

A Bill Entituled "An Act for raising, paying, and cloathing Three Hundred Men, properly officered, for relieving the several Forts and Posts within the Communication to Pittsburgh, and for continuing 'An Act for regulating the Officers and soldier in the pay of the Province.'"

At a Council held at the State House, on saturday the 14th March, 1760.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &c.

Richard Peters, Lynford Lardner, } Esquires.
Thomas Cadwalader,

The Governor sent the following verbal Message to the House by the Secretary:

"The Governor commands me to acquaint the House, that as a Considerable number of Indians may be expected to come and treat with the Government some time in the Summer in consequence of the Invitations that have been sent to them, he desires the House will appoint a Committee to attend the treaties, and to make provision for the Expence that will attend them."

The Governor required the attendance of the House in the Council Chamber immediately, in order to enact into Laws the several Bills that have been agreed to, and the Speaker, with the whole House, accordingly waited on the Governor, and presented the following Bills, which were enacted into Laws, and after the great Seal was affixed to them they were lodged in the Roll's Office.

The Speaker presented to the Governor an order or Certificate for One Thousand Pounds, for which the Governor returned his thanks to the House.

"An Act to enable the owners and possessors of the Meadow at the West Side of the mouth of Darby Creek, by the River Delaware, in the Township of Ridley, in Chester County, to keep the Banks, Dams, Sluices and flood Gates in repair for ever, and to raise a fund to defray the Expence thereof."

"An Act to enable the owners and possessors of the Northren district of Kingsess Meadow Land, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Flood Gates in repair, and to raise a fund to defray the Expence thereof."

"An Act to enable certain Trustees to sell Lands in the County of Philadelphia, in trust for the use of the Minister of Oxford, and to receive the voluntary donations of the Inhabitants, and with the Monies arising thereform to purchase other Lands to be settled to the same use."

"An Act for regulating Waggoners, Carters, Draymen and Porters within the City of Philadelphia, and for purposes therein mentioned."

"An Act to enable Thomas Yorke, James Child, Daniel Rundle, Peter Chevalier, and Enoch Story, or any three of them to sell the provincial Ship of War."

"An Act to regulate the Assize of Bread."

"An Act for laying a duty on Negroes and Mulattoe Slaves imported into this Province."

"An Act for the preservation of Fish in the Rivers Delaware, Sasquehannah, and the Lehigh, commonly called the westren Branch of Delaware."

"An Act for making the River Schuylkill navigable, and for the preservation of the Fish in the said River.

"An Act for raising, paying, and Cloathing Three Hundred Men, properly officered, for releiving the several Forts and Posts within the Communication to Pittsburgh, and for Continuing the Act for regulating the Officers and Soldiers in the pay of this Province."

A Message from the Assembly delivered to the Governor in Council was read in these words :

A Message from the Assembly to the Governor.

"May it Please your Honour:

"The report of the Committee of His late Majesty's most Honourable privy Council relating to the Act passed in this Province in the Year One Thousand Seven Hundred and fifty-Nine, intituled 'An Act for granting to His Majesty the sum of One Hundred Thousand Pounds, &ca.' and His late Majesty's Determination thereupon were no sooner laid before the House than we thought it our duty to appoint a Committee to enquire into the State of the Taxations under that Law, and particularly so far as it regarded the taxing the proprietary Estate which Committee, after a full and carefull Examination of the Taxes laid throughout the Province, have made their report, whereby it appears,

"First. 'that no part of the unsurveyed Waste Lands belonging to the proprietaries, have in any instance been included in the Estates taxed.'

"Secondly, 'That some of the located uncultivated Lands belonging to the proprietaries in several Counties, remain unassessed, and are not in any County assessed higher than the Lands under like Circumstances belonging to the Inhabitants.'

"Thirdly. 'That all Lands not granted by the Proprietaries within Boroughs and Towns remain untaxed, excepting in a few Instances, and in those they are rated as low as the Lands which are granted in the said Boroughs and Towns.'

"And 'that the whole of the Proprietary Tax of Eighteen pence P^r^ pound throughout the Province in one Year amounts to Five Hundred & Sixty-Six pounds four Shillings and ten pence; and the Sum of the Tax of the Inhabitants for the Same Year, and at the same rate, amounts, through the Several Counties, to Twenty-Seven thousand One hundred and three Pounds twelve shillings and eight pence.'

"And it is the opinion of the said Committee 'that there has not been any Injustice done to the Proprietaries, or Attempts made to

rate or assess any part of their Estate higher than the Estates of like kind belonging to the Inhabitants are rated and assessed, but on the contrary, the Committee find the proprietary Estates are rated in many instances below others.'

"This Report appears to the House, upon an Inspection into the provincial Assessments, now lying before us, to be just and true; and your Honour will permit us to add that the major part of the members of the present Assembly, having also been Members of the Assembly in the year One thousand Seven hundred and fifty-Nine, when the Act was passed, are well assured that it never was the intention by that Act either to tax the Proprietaries' unlocated lands, or to contravene the Stipulations and Agreements entered into with the Proprietaries for the payment of their Quit-Rents, but that those Stipulations and Agreements should remain as binding upon all the parties concerned therein, as they were or could be before the passing of that Act.

"And we beg leave further to remark, that by the Law now under our consideration, the Commissioners and Assessors are obliged to lay before the Assembly, for the time being, their Rates and Taxations for every Year, whereby the Assembly will he enabled to judge of any Variations from the present Mode of Taxation, and if it shall then appear that any injustice is offered to the Proprietaries, or if the Governor, in behalf of the Proprietaries, can point out any injury they may receive in the execution of the said Act, we doubt not the then Assembly will chearfully and readily offer a Bill to the Governor to do them justice.

"In the mean time, as the Taxes are now assessed, and no other or further Assessment can be made till the next Year, we apprehend the Proprietaries can receive no damage from the Law as it now stands, and which must soon expire by its own Limitation, we request the Governor will be pleased to lay a fair and Candid State of this matter before our Superiors, in which case we have great reason to hope and believe that the Act passed by your honour in the Year One thousand Seven Hundred and Sixty, may and will receive the royal approbation, and by that means satisfy the Proprietaries, and prevent the great Evils and Confusion which the repeal of that Law might bring upon this Province.

"Signed by Order of the House.

"ISAAC NORRIS, Speaker.

"March 14th, 1761."

The Members that delivered the Message, acquainted the Governor that the House having finished the principal Business before them, inclined to adjourn to the 7th of September, if his Honour had no objection thereto.

The following resolve of the House, in answer to the Governor's Verbal Message relating to the approaching Indian Treaty, was delivered by two Members:

"*Resolved*, That Mr. Speaker, the provincial Commissioners, Mr. Ashbridge, Mr. Wynkoop, Mr. Gibbons, Mr. Hunt, Mr. Allen, and Mr. Potts, be a Committee to attend the said Treaty, and that the provincial Commissioners do, with the assent of the Governor, defray any reasonable Expences that may be incurred by the same."

The Governor ordered the Minutes to be entered that were taken of what passed between Jo Peepy and him, on the 9th Instant.

A Conference with Jo Peepy, a Delaware Indian, on the 9th March, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &c[a].

Richard Peters, Esquire.

Jo Peepy waited on the Governor and told him he was sent by the Three Nations of Indians, who lived in an Indian Town situate half way between Wyomink and Diahogo, on the River Sasquehannah, with a Message to the Government, which he delivered in these words:

"Brother:

"We are three Nations of us, Nanticokes, Conoys, and Oneidas; We all three join in this Belt to desire you would take the pipe and fill it and light it, and after you have light it, we desire you will smoke it and look towards us; We design to come to see you in the Spring; we do not tell you at what particular time, but when we are ready to sett out, we will send you a Messenger to acquaint you that we are coming."

Gave a Belt.

"Brother:

"Papoonan sent you this String of Wampum, and thereby informs you that he is doing his utmost endeavours to gather together all the English Prisoners that are in the Indian Towns, with intent to bring them with him; There are more among the Minisink than in any other Nation; Among these he will go, as they are the most backward at returning the Prisoners; He knows of five that are among them, and two at French Margaret's."

Here he gave a String.

On the 14th Instant, Jo Peepy having let the Governor know that he would go out of town to-morrow, The Governor, by a String, desired him to return his hearty thanks to the three Nations of the Nantycokes, Conoys, & Oneidas, and to tell them that he should always be glad to see them when they had any material Business to do with him.

He likewise desired him to return his hearty thanks to Papoonan, for his diligence and Zeal in collecting the Prisoners together, and

assure him he could not do a more acceptable Service to him and the People of this Province.

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MEMORANDUM:

On the 17th Instant, the Great Seal was affixed to the following Proclamation, to encourage men to enlist, and it was dispersed, and also published in the News Papers:

"*By the Honourable JAMES HAMILTON, Esquire, Lieutenant Governor and Commander-in-Chief of the Province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, upon Delaware,*

"A PROCLAMATION.

"WHEREAS, by an Act of Assembly of this Province, passed at Philadelphia, on the 14th Instant, it is provided, That there shall be forthwith raised Three hundred effective men, properly officered, to act in Conjunction with his Majesty's regular Forces, within the Communication to Pittsburgh, until the twenty fifth day of November next, or the conclusion of a peace with France, which shall first happen; As an Encouragement, therefore, for able bodied men to enlist in the said service, I do hereby offer a Bounty of Six Pounds as a free gift to each person so enlisting, as also Nine Pounds advance money, including their Cloathing, which is to be provided for them by the Government; and to each Officer, properly authorized to enlist Men, twenty Shillings for every able bodied man he shall enlist into the Service, after he has passed Muster at the Town of Carlisle, in the County of Cumberland, with the following Rates, to pay to the Non-Commissioned Officers and Men, to wit: to Serjeants, Two Shillings P. Day; and to each private man, Forty five Shillings Per Month. I have, therefore, thought fit to make this known, by Proclamation, to all his Majesty's Subjects, earnestly inviting them to enlist, and promising to all those who shall enter into this Service, the Bounty & other encouragements above mentioned.

"*Given* under my Hand, and the Great Seal of the said Province, at Philadelphia, this seventeenth day of March, in the first Year of the Reign of our Sovereign Lord George the third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c^a^ and in the Year of our Lord, one thousand seven hundred and sixty one.

"By his Honour's Command.

"JAMES HAMILTON.

"RICHARD PETERS, *Secretary.*

"GOD SAVE THE KING."

At a Council held at Philadelphia, on Wednesday, the 18th March, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &c[a].

Joseph Turner, Richard Peters, } Esquires.
Benjamin Chew, }

The following Letters received by the Post, from Mr. Pitt, his Majesty's Secretary of State, of the 17th December last, and from General Amherst, of the 15th Instant, were read, and it was unanimously agreed to call the Assembly by Summons, to meet on Thursday, the second of April next.

The Secretary of State's Letter to the Governor.

"WHITEHALL, December 17th, 1760.

"Sir:

"His Majesty, having nothing so much at Heart, as, by the most vigorous Prosecution of the War, to reduce the Enemy to the necessity of accepting a Peace on Terms of Glory and Advantage to his Majesty's Crown, and beneficial, in particular, to his Majesty's Subjects in America, and as nothing can so effectually contribute to that great and essential object, as the King's being enabled to employ, as immediately as may be, such part of the Regular Forces in North America, as may be adequate to some great and important enterprize against the Enemy, I am commanded to signify to you the King's pleasure, that in order the better to Provide for the full and entire security of his Majesty's Dominions in North America, and particularly of the possession of his Majesty's Conquests there, during the absence of such part of the Regular Forces, you do forthwith use your utmost endeavours and influence with the Council and Assembly of your province, to induce them to raise, with all possible dispatch, within your Government, Two-thirds of the number of men they raised for the last Campaign, & forming the same into Regiments, as far as shall be found convenient; that you dircet them to hold themselves in readiness, and particularly as much earlier than former Years as may be, to march to such place or places in North America, as his Majestie's Commander in Chief there, or the Officer who shall be appointed to command the King's Forces in those parts, shall appoint, in order to be employed there, under the Supream Command of his Majesty's said Commander-in-Chief, or of the Officer to be appointed as above, in such manner as from the circumstances & situation of the Enemy's Posts, & the state and Disposition of the Indian Nations on that side, he may judge most conducive for the King's Service; And the better to facilitate this important Service, the King is pleased to leave it to you to

issue Commissions to such Gentlemen in your province, as you shall judge, from their Weight and Credit with the People, and their Zeal for the publick Service, may be best disposed & enabled to quicken and effectuate the speedy levying of the greatest number of Men, in the Disposition of which Commissions, I am persuaded, you will have Nothing in View but the good of the King's Service, and a due Subordination of the whole to his Majesty's Commander. And all Officers of the Provincial Forces, as high as Colonels, inclusive, are to have Rank according to their respective Commissions, agreeable to the regulations contained in his Majesty's Warrant of the 30 of December, 1757, which is renewed by his present Majesty.

"The King is further pleased to furnish all the men so raised as above, with Arms, Ammunition, & Tents, as well as to order provisions to be issued to the same by his Majestie's Commissaries, in the same proportion and manner as is done to the rest of the King's Forces; The whole, therefore, that the King expects & requires from the several Provinces, is the Levying, Cloathing, and paying of the men; and on these heads also, that no encouragement may be wanting to this great and salutary Service, His Majesty is further most graciously pleased to permit me to acquaint you that strong Recommendations will be made to Parliament, in their Session next Year, to grant a proper Compensation for such Expences as above, according as the active vigour, and strenuous efforts of the respective Provinces shall justly appear to merit.

"It his Majesty's pleasure that you do, with particular Diligence, immediately collect and put into the best Condition, all the Arms issued last Campaign, which can be any way rendered serviceable, or that can be found within your Government, in order that the same may be again employed for his Majesty's Service.

"I am further to inform you that similar orders are sent by this Conveyance to Maryland, Virginia, North Carolina, and South Carolina. The Northern Governments are also, directed to raise men in the same manner, to be employed as his Majesty's Comm^{r}-in-Chief shall judge most conducive to the King's Service in North America.

"It is unnecessary to add any thing to animate your zeal in the Execution of his Majesty's orders in this important Conjuncture, which is finally to fix the future safety and Welfare of America, and of your own Province in particular; and the King doubts not, from your known Fidelity and attachment, that you will employ yourself with the utmost application and dispatch in this promising and decisive Crisis.

"I am, Sir, With great Truth and Regard,

"Sir, Your most Obedient humble Servant,

"WM. PITT."

A Letter from His Excellency General Amherst to the Governor.

"New York, March 15th, 1761.

"Sir:

"On the first of January last, I signified to you that by the dispatches I had received the preceding day from his Majesty's principal Secretary of State, it was the King's firm resolution steadily to support his Allies, and to prosecute the War with the utmost Vigour, and that in Consequence of this resolution, I made no doubt but you should soon receive his Majesty's requisition for such a number of men from your province as should be thought requisite to answer the proposed end of procuring a good and lasting peace.

"This requisition was in fact dispatched from the Secretary of State's Office on the Seventeenth of December last, and, I conclude, sent on board the Leicester Packet, which sailed from Falmouth on the 29th of said Month, but being unfortunately taken in her passage, the Triplicates of those Dispatches are but this moment arrived in his Majesty's Sloop Tamar, and Mr. President Colden, to whom they have been delivered, is to forward them without Delay.

"It remains, therefore, with me, after this unexpected and unlucky Detainder, most earnestly to entreat you to make up for this loss of time, in immediately, upon receipt hereof, convening your Assembly, and laying before them the aforesaid Letter of the Secretary of State, and that you will forthwith use your utmost Endeavours and Influence with the Council and Assembly to induce them to raise, with all possible dispatch, within your Government, Two-thirds of the number of men they raised for the last Campaign.

"The King's reasons for his Majesty's Requisition of this further aid from his faithful American Subjects, are too obvious, and too clearly pointed out by the aforesaid Circular Letter of his Secretary of State, to need any additional Enforcement, and yet I cannot refrain from repeating a Recommendation which ought, & I doubt not will have with it all the Weight and Impression which, from its prudence and Sagacity, it has a just right to expect, since it proceeds from the spirited view of reducing the Enemy to the necessity of accepting a peace on Terms of Glory, and advantage to his Majesty's Crown, and beneficial in particular to his Subjects in America, to which great and essential object nothing can certainly so effectually contribute, as the King's being enabled to employ as immediately as may be, such part of the Regular Forces in North America, as may be adequate to some great and important Enterprize against the Enemy.

"And as such are the King's Resolutions, and that his Majesty, the better to provide for the full and entire Security of his Dominions in North America, & particularly of the possession of his Conquests there, during the absence of such part of the Regular

Forces to be employed in the aforesaid Enterprize, has desired that the several Provinces and Colonies of this Continent should forthwith raise Two-Thirds of the number of men they raised the last Campaign. I cannot, from the past Zeal I have experienced upon all former occasions on the part of your Province, but firmly rely and trust that it will upon this exert itself to the utmost, and that I shall have the satisfaction to report to his Majesty how chearfully it has acquiesced with his Recommendation.

"Nothing, therefore, now remains with me to add, than that you will observe by the aforesaid circular Letter of the Secretary of State, that as a further encouragement to such Exertion on the part of the provinces, his Majesty has ordered, as heretofore, that the provincial Forces should be victualled in the same manner and in the same proportions as the Regulars, and that they should be supplied with Arms and Tents at the expence of the Crown; moreover, that strong recommendations will be made to Parliament, in their Session next Year, to grant a Compensation to the Provinces for the expences they may be at on this occasion, according as their respective vigour and strenuous efforts shall justly appear to merit; I must, therefore, as this aid of Troops will be immediately wanted, most seriously recommend it to You, to obtain them from the Assembly without loss of Time, and to hold them in readiness to march where so ever I may have occasion for them, upon the first notice you shall receive from me for that purpose.

"I have it also, in command from his Majesty, to enjoin you to collect, and cause to be put in proper Condition, all the serviceable Arms that can be found within your province, for every one of which that shall be brought to the field, and shall not return by reason of being spoiled or lost in actual Service, I shall pay the usual allowance of twenty-five Shillings P. Firelock.

"As it is very essential to the Services I have in command from the King, that I should be as early as possible informed of the Resolves of your Assembly on this head, and of the time that the Troops will be ready, I beg that, as soon as you are acquainted therewith, you will signify the same to me by Express, that I may regulate myself accordingly.

"I am, with great Regard, Sir,

"Your most Obedient humble servt

"JEFF. AMHERST.

"P. S. In the Contingent of men, which you are, by the King's aforesaid Requisition, recommended to raise, I shall allow the three hundred which, by my Letter of the twenty-seventh ult., I requested for the Communication between Philadelphia & Fort Pitt to be part of.

"J. A."

On the 21st of March, the Governor issued Commissions appointing William Allen, Esqr, first Judge; Lawrence Growden, Esqr,

Second Judge; and William Coleman, Esqr, Third Judge, of the Supreme Court; and at the same time, a general Commission issued for their being Judges of Oyer and Terminer.

At a Council held at Philad^a, on Thursday the 2nd April, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor, &c^a.

Richard Peters, & Benjamin Chew, } Esquires.

A second Letter from Genl Amherst was read, together with the following Message to the Assembly, which was approved and sent to the House, with the Letters referred to therein:

A second Letter from His Excellency Gen'l Amherst to the Governor.

"New York, 22nd March, 1761.

"Sir:

"As the Season is so far advanced, I am sorry it so happened that your Assembly had rose prior to the reception of his Majesty's requisition for a further aid of Troops from the several provinces; and I am much obliged to you for the Dispatch with which you have conven'd them to renew their sitting; I am hopefull that the time which will be lost by this adjournment will be made up by their expediting matters so soon as they come together again; and, from their most commendable Zeal and Steadiness in granting the Three hundred men I requested for the Communication, I firmly trust they will upon this occasion, be no less eager to merit his Majesty's Approbation, which, were they to slacken in their Zeal, they must not only forfeit, but expose themselves to the King's Displeasure.

"Brigadier General Monckton, as I mentioned to you in my last, sets out to-morrow, on his way to Philadelphia, in order to station the Three hundred Men voted by your Assembly, & to put Vaughan's Regiment in motion.

"I am, with great Regard, Sir,

"Your most Obedient & Humble Servt,

"JEFF. AMHERST.

A Message from the Governor to the Assembly.

"Gentlemen:

"Altho' your being so soon called together again after your late long Session and Adjournment, must needs prove very fatiguing to your Persons, as well as inconvenient to your private affairs, yet, I persuade myself, that upon being made acquainted with the reasons that induced it, you will readily agree that your meeting at this time was absolutely necessary, & could not be dispensed with.

"You will be pleased, then, to know that within a few days after your Recess, I had the Honour to receive from one of his Majisty's principal Secretaries of State, the King's commands to the following purpose, viz$^{t.}$:

"That I should forthwith use my utmost Endeavours and Influence with the Council and Assembly of this Province, to induce them to raise, with all possible dispatch, within my Government, Two-thirds of the number of men they raised for the last Campaign, & that forming the same into Regiments as far as shall be found convenient, I should direct them to hold themselves in readiness, and particularly as much earlier than former Years as may be, to march to such place or places in North America as his Majesty's Commander-in-Chief there, or the Officer who shall be appointed to Command the King's Forces in those parts, shall appoint, in order to be employed there, under the supreme of his Majesty's said Commander-in-Chief, or of the Officer to be appointed as above, in such manner as, from the Circumstances and situation of the Enemy's Posts, and the State and Disposition of the Indian Nations on that side, he may judge most conducive for the King's Service.

"That the King is pleased to furnish all the men so raised as above, with Arms, Ammunition, & Tents, as well as to order Provisions to be issued to the same, by his Majestie's Commissaries, in the same proportion and manner as is done to the rest of the King's Forces; That the whole, therefore, that the King expects and requires from the several Provinces, is the Levying, Cloathing, and paying of the men, and on these heads also, that no encouragement may be wanting to this great and Salutary service, His Majesty is further most graciously pleased to permit me to be acquainted that strong Recommendations will be made to parliament, in their Session next Year, to grant a proper Compensation for such Expences as above, according as the active vigour and strenuous efforts of the respective Provinces shall justly appear to merit.

"But, that nothing may be wanting, Gentlemen, to the fullest Explication of his Majesty's orders and Intentions in this respect, I have directed the Secretary of State's Letter, with others from General Amherst upon the same Subject, to be herewith laid before you, in which the Motives and Reasons of the present Requisition are so particularly set forth, that any thing by way of addition from me, might be justly deemed superfluous.

"It, therefore, only remains from me to recommend to You, as I hereby do, in the warmest manner, a speedy and effectual compliance with the King's Demand, by which, alone, the delay occasioned by the loss of the first Dispatches can be repaired; for I cannot entertain the least doubt of your readiness to testify the same duty and affection to his present Majesty on his accession, which to his late Royal Grandfather, of glorious Memory, were so repeatedly manifested by former Assemblies.

"JAMES HAMILTON.

"April 3rd, 1761."

On Monday, 6th April, 1761.

At a Conference with Teedyuscung, and some of ye Wyomink Indians.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor, &c^a^.

Richard Peters, Esquire.

Teedyuscung,
Quyasycamon, or Audowroff,
Chickingquikamon,
Chagyhyckinham,
Nicholas Tittamy,
} Delawares.

Guttamaack, Mohickon.

Wyoweenhunt,
Makawelloang,
} Opies.

Isaac Stille, Monday Indian, Interpreter.

Teedyuscung spoke as follows, with a string:

"Brother:

"I have for four or five Years, been constantly employed in promoting the good work of Peace, & now somethings look darkish, and unless what makes it look so be removed, it may be hurtful to our old Men, Women, & Children, notwithstanding all that has been done.

"Brother:

"I never did hide any thing in my heart, and I desire if the Governor has any thing in his heart, that he would not hide it. This is the way to keep all things right between us, which cannot be done if we hide from one another anything that is upon our minds.

"Brother:

"You may remember that when I was here in the Fall of the Year, I informed you that some New England People were settling the Indians Lands, near a place called Cushietunck, and expressed

a great deal of uneasiness at it. You told me that you had likewise heard something of it, and had sent the Sheriff and Magistrates of the County, bordering on these Lands, to the place with orders to see what was doing, and to warn any persons off whom they should [find] settling there. You likewise said that as soon as you should be informed by these people of what they should find doing there, you would send a Message to the Government of Connecticut to know if they were abetted by it, and what were their future designs.

"Brother:

"I have not heard any thing from you since that time, and our People are become so uneasy at this new Settlement that several of them are moved away to other places, and these now present are come on purpose with me to hear what you have to say about this affair.

"Brother:

"Some of the Opies were coming to settle at Wyomink, but being disturbed at what they hear, they have sent their King that they may hear what you have to say, & know the matter from you before they proceed further.

"So many stories were brought to Wyomink, that I myself was almost ready to leave my house, but I thought I would come and see you first, and consult with you about it.

"Brother:

"The reason why we were so uneasy is this: About three weeks ago, Robert White came to our Town along with Thomas King, one of the Six Nation Indians, and told us that they had been at Cushietunck among these People, and that Sir William Johnson had sent to warn them off if they intended to settle there; If only to trade then he desired they would use the Indians well, and give them no offence, but they made very light of it, and said they would not regard either what Sir William Johnson should say nor the Governor of Pennsylvania, nor the Magistrates, but only what should come from their own Governor. They said they had bought that Land from some Indians who were at the last Treaty at Easton, and would settle there. They said likewise that in the Spring when there should be plenty of Grass they would come & settle the Lands at Wyomink, and that Thomas King had given them leave to settle the Wyomink Land, and if the Indians who lived there should hinder their Settlement they would fight it out with them, and the strongest should hold the Land. Robert White added that they told him that they should be four thousand Strong in the Spring, and would all come to Wyomink.

"Robert White told us further that they kept continual Watch for fear the Indians should shoot them."

Teedyuscung being asked how many Robert White found there, he answered that Robert White told them there were thirty Families.

April the 8th, 1761.

A Bill Entituled "An Act for laying a duty on Negroes and Mullatta Slaves imported into this Province," was presented to the Governor for his Concurrence.

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10th April, 1761.

The following Message from the Assembly was delivered to the Governor by two Members:

A Message to the Governor from the Assembly.

"May it Please your Honour:

"Your Message of the third Instant, with the Secretary of State's and General Amherst's Letters attending it, we took into immediate Consideration, & actuated by the same Zeal and Loyalty to his present most Excellent Majesty, with the same Regard to the welfare of the Nation in general and his American Colonies in particular, which we have so often heretofore demonstrated, we were most sincerly disposed, as far as in us lay, to comply with the Requisition signified to your Honour in those letters; but, upon taking a view of the present Circumstances of the province; the load of Debt already imposed on the people, the mode pointed out to us for granting Supplies, contrary to those rights which we hold ourselves indispensably bound to preserve; the injury which must attend the property of our Constituents, should we pursue that mode, and the great insecurity of our Bills of Credit, should we deviate from it; we are of opinion it is not in our power to grant the aids required, consistent with that justice and duty we owe to the people we represent.

"Since the commencement of the present War, the Assemblies of Pennsylvania have granted to the Crown upwards of half a million of money, a part of which was given out of a particular Fund, of which they had then the sole Disposition, contrary to the Will and express Declarations of the then Governor; other great part thereof at a time when proprietary Instructions restrained that Discretion and free exercise of judgment in the Governor, which was absolutely necessary for the safety of the Colony—Instructions that occasioned such Impediments to the Supplies then repeatedly offered, that, had not the Assemblies waved their just rights, and formed their bills agreeable to them, no Aids could have been granted, or the Country defended against the Enemy then ravaging its Frontiers.

"In the Years 1757 and 1758, two Laws were passed, granting to the Crown the sum of one hundred thousand Pounds each, in which the Proprietary Estates were exempted from bearing any

part of the Burthen, which Laws received the Approbation of the Crown. In the Year 1759, the Assembly, moved by their usual Zeal for his Majesty's Service, again complied with the full requisition of the Crown, and granted another Hundred thousand Pounds fer the service of that Year. And in the Year 1760 the same sum was granted for like purposes; and, in order to give his Majesty the immediate Benefit of the sums granted, the respective Assemblies prepared two several Bills for striking the same in Bills of Credit, & for establishing a Fund for sinking the same in such just and reasonable manner as had before received the Royal Approbation, with this only difference, that the Proprietary Estate was included, & directed to bear a proportionable Part of the sums which had been and were to be expended for its protection.

"The Bills, your Honour well knows, received the Assent of the respective Governors. The people of the Province, reposing a Confidence in the Approbation of the Representatives of the Crown, thus given to the said Laws, and trusting that Aids so chearfully granted would receive the Royal Approbation, as our former Acts had done, did, with the utmost readiness, receive the Bills of Credit thereby made Current, and pay in lieu thereof, to the servants of the Crown, a full and valuable Consideration.

"The Law passed in the Year 1759, your Honour is well informed, has been presented to his Majesty for his royal Approbation, and notwithstanding the assent of the Governor so given, and the approbation of the Crown to our former Laws, and the Confidence thereby created in the People, notwithstanding the Bills of Credit made Current by the said Law were actually issued for their full value, the Lords of his late Majesty's Council were pleased to report the said Law to his Majesty, as 'fundamentally wrong and unjust, and that it ought to be repealed,' unless certain Amendments and Alterations proposed by them, should be made therein by the Assembly of the province, in regard to Taxing the Proprieiary Estates. To these proposals our Agents thought themselves under a necessity of acceding, in order to avert from the Province that Confusion in Trade and Commerce, & loss to the Brittish Merchants, as well as to the People to whom those Bills of Credit were issued, which a sudden Annihilation of them by a Repeal of the Law, must of necessity occasion.

"As soon as we received the Report of the Council, and the engagements of our Agents, we appointed a Committee to enquire into the reasonableness of them, and the State of the Proprietary Taxes under that Law, from whose Report, already presented to your Honour, we find that no kind of injustice has been done in the mode of taxing their Estates; but, on the contrary, that they have been rather rated and assessed, in many instances, lower than others under like Circumstances.

"It is, may it please your Honour, with the utmost concern we reflect that the other Act, granting One hundred Thousand Pounds

to the Crown, in the Year 1760, of the same nature remains, so far as we know, still unpresented, and in Suspence; and that, should we refuse to comply with the proposed Alterations and Amendments, we have reason to Apprehend the same measures may be essayed by the Proprietaries to procure a Repeal thereof, without regard to the mischief & confusion it must inevitably produce in its consequences to the Province; and should we comply therewith, that very compliance must be esteemed a high Breach of Trust by the People whose Rights and Priviledges we are bound in duty to preserve; it would be waving, at least, if not giving up one of their most reasonable and essential Privileges, besides doing them great injury, with respect to their proportion of Taxes. These things appear, from the Report of the Lords of the Council, & of the Committe appointed to enquire into the State of the Proprietary Taxes, so evidently, that we apprehend it cannot be necessary to add on the Subject.

"Under these difficulties it is, with great regret, we inform your Honour that we cannot further comply with his Majesty's requisition, than we did at the last sitting, by granting upwards of three hundred men, for garrisoning the Fortifications on the Frontiers.

"Signed by order of the House,

"ISAAC NORRIS, Speaker.

"April 10th, 1761."

At a Conferenee held at Philad[a], on the 11th April, 1761.

PRESENT:

The Governor, Mr. Peters, and the same Indians as on the 6th Instant.

The Governor acquainted Teedyuscung that he would now give him an Answer to his Speech, and then began as follows:

"Brother:

"I readily acknowledge the Zeal with which you have for some Years past concurred with this Government in promoting the good work of Peace, and it is owing in a great measure to your endeavours that the same has been brought to an happy conclusion.

"Brother:

"You will please to observe that the People who are attempting to settle your Lands, and in so doing justly give you so much uneasiness, are none of them of this Province; they come from a distant Government, and set up pretentions for this Land, partly under the Charter of Connecticut, the Colony from whence they came, and partly under what they call Indian Purchases; for besides what they told Robert White, that they had purchased that Land from some Indians that were at the last Treaty at Easton, they did

assure the Gentlemen whom I sent to warn them off that they had bought it from Delaware Indians, and gave them the very names of the Indians who had signed them Deeds for it, which I shall read to you, that you may enquire into the truth of this matter. Their names are as follows, vizt: Maykeos, Mastohope Allamesick, Westcrank, Christias, Michtauk, Wiselawah, Nolotoch, Poot (the King), Cattacool, Lawichcomen, Maudlin, Colcutalab, Makeshacomas, Quataloch, Tongol, Mituxing, Monkychess, Mechuckings.

"Brother:

"You may depend upon it that this Government will strictly observe their Treaties with the Indians, and will spare no pains to hinder these people from settling these Lands. In proof of this, I shall faithfully relate to you what I have done in consequence of the last Conference we had together on this Subject. I never did, nor never will hide any thing from you, being fully persuaded that openness on all occasions is the only way to confirm one another in a lasting Friendship.

"Brother:

"Agreeable to what I lately told you, as soon as it came to my knowledge that people were settling in the Upper parts of Northampton County, beyond the bounds of the Lands purchased by the proprietaries of the Indians, I sent the Sheriff and Magistrates of that County to lay before them the dangerous consequences that might follow from such a proceeding, and to desire they would desist and go away, and I was in hopes my Message would have had a good effect, but when it was reported to me by those Gentlemen that they said they would persist in their Settlement, & that they were supported by the Government of Connecticut in what they did, I immediately sent a Letter to their Governor, informing him of my Message to these Settlers, and of their answer, and did not fail in the strongest Terms I was able to represent to him, that such a Settlement was not only against Law and the rights of the Proprietaries of Pennsylvania, to whom the King has granted these Lands, but that you and your Indians at Wyomink had formerly complained of this Settlement as a Violation of your Right, the Lands not being purchased from the Indians, and that being done without consent of the Indians, it would endanger the Peace so happily concluded between them and his Majesty's Subjects at Easton; and I did insist that the Governor of Connecticut should send for these people, put a stop to their Settlement, and discountenance all such dangerous proceedings, & if nevertheless they should continue in their unjust attempts, they might depend upon it that in support of the Proprietary and Indian rights, I would oppose them with all my might. To this Letter, I have, as yet, received no answer, which keeps me in the dark, so that I know not what the Intentions of the Government of Connecticut are, nor what measures these people will take.

"At the same time I wrote to Governor Fitch, I published a Proclamation strictly forbidding all the Inhabitants of this Province from joining themselves to these Intruders, and giving it in charge to all his Majesty's Subjects to bring any persons who shall be found settling those Lands or encouraging such as did, before the proper Magistrates, in order that they might be dealt with according to Law.

"And you may assuredly rely on my carrying this Proclamation into execution, and doing every thing in my power to remove these unlawful Intruders, but then, all this will be ineffectual, if, whilst some Indians are complaining against them, others, as they say, are encouraging them and are content to have them settle."

Teedyuscung thanked the Governor, and expressed great satisfaction therewith.

He asked what should be done if they should come to Wyomink in the spring? The Governor gave them for answer that they should not suffer them to settle, and expected to be informed of every thing that they should attempt, either at Wyomink or in any other part of the Country. To which Teedyuscung replied that he looked upon himself as the Governor's Eye and Ear, and that he would give him the earliest intelligence of every thing that should come to his knowledge.

Then Teedyuscung desired that, as the people who came with him were poor and naked, the Governor would order them Cloaths & provisions for their Journey home, and the Governor promised to consult with the Provincial Commissioners, and give him an answer.

At a Council held in the State House, on Monday, 13th April, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr Lieutenant Governor, &c^{a}.

Richard Peters, Joseph Fox, } Esquires.
Thomas Cadwalader, }

The Governor, upon re-considering that part of his Speech to Teedyuscung, in which he desired him not to suffer the Connecticut poeple to settle at Wyomink, was of opinion that they might possibly misunderstand his meaning, and look upon it as an encouragement for them to use force in the preventing of their Settlement, by which means many murders might happen, and an Indian War be revived, thought proper to explain himself more particularly on that head, for which purpose he sent for Teedyuscung, & explained himself in the following manner:

"Brother:

"By what I said to you the other day, about your not suffering the Connecticut people to settle themselves at Wyomink or on any of the Indian Lands, I did not mean that you should use force or proceed to kill any of them for coming amongst You and attempting to settle your Lands, but that you should rather collect the ancient and discreet men of your Nation and go to them in a peaceable manner, and endeavour to persuade them to forbear settling those Lands till the right to the same should be settled by lawful authority, and the Indians, to whom the Land of right belongs, shall consent to sell it."

Teedyuscung being asked if he understood what was said, answered that he perfectly well understood it, and was pleased with it. As to him, he will do nothing more in this matter, but will acquaint the Governor with any thing that shall hereafter be attempted by these people, and leave it to the Governor to do what is proper.

He then acquainted the Governor by a String of Wampum that some of the Opey and Mohecion Nations were going to settle at Wyomink, and when he looked that way, he should see them sitting together as one people.

He will always do from his heart what shall be for the best, & in an open way.

The Governor then enforced again to him not to have recourse to violence, lest it should occasion fresh disturbances, but that since he has said he would refer the matter to him, he will take care to manage the matter so as may be most for the Interest of the Indians.

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*April the 11th, 1761.

The Governor returned the Bill for laying a Duty on Negroes and Mullatoe Slaves imported into this Province, with a Message that he was ready to pass it.

The same day a Bill entituled "An Act to prevent the Exportation of bad or unmerchantable Staves, Heading, Boards and Timber," was presented to the Governor by two Members for his Concurrence.

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*MEMORANDUM.

This minute should have been inserted before the preceding Conference of the 13th April, 1761.

At a Council held at Philadelphia, on the 14th April, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &c[a].

Joseph Turner, Richard Peters, } Esq[rs].
Benjamin Chew, }

The Governor returned the Bill entitled "An Act to prevent the Exportation of bad or unmerchantable Staves, Heading, Boards and Timber," with a Message that he would pass it.

The following Letter from General Amherst, of the 10th Instant, was read and considered, & the following Message sent to the House with the s[d]. Message:

A Letter from his Excellency General Amherst to the Governor.

"New York, April 10th, 1761.

"Sir:

"It is no less unexpected (nay astonishing) to me to learn, than it was to you to acquaint me, that your Assembly had come to a Determination not to raise any more than three hundred men granted a few weeks ago; for tho' you had not yet been acquainted with their resolves, as you had heard this from one of the Members of the House, I am afraid it is but too true. I cannot, therefore, refrain from expressing my highest Disapprobation of so unwarrantable a Non-compliance with the King's requisition, which if they do not reconsider and act up to (as I am inclined to hope they will), I must represent their backwardness to his Majesty, whose displeasure, I should think, they would be sorry to incur; and yet how can they expect to avoid it, if they persist obstinately in their rejection of his Demands, the result of which may be no less than of the worst consequence to the operations that must accordingly lie at their Door, and which they will repent when it is too late?

"Their reasons for Non-complyance are not more excusable than their Refusal; They have no right to imagine that the regular Troops will be carried off the Continent, not to return again; I shall obey the King's Commands with regard to their Destination. It behooves them to be no less obedient in granting the aid the King expects to secure his North American Conquests, and to furnish their quota for the Services required of them, that all such operations as his Majesty has been pleased to plan may be carried on; however, for your particular satisfaction, I will say thus much, that I do not intend to send them out of their Province, and that they shall not be detained in the Service a moment longer than there shall be an absolute occasion, & of this you may make what use you think proper, to bring them to a better sense of their Duty,

which I am still willing to hope they will hearken to. I am with great Regard, Sir,

"Your most Obedient humble Servant,
"JEFF. AMHERST.

—

A Message from the Governor to the Assembly.

"Gentlemen:

"It is with great Concern that I find myself obliged to animadvert, in a manner that may not be agreeable, upon any part of the proceedings of your House, with whom I have the strongest desire to live upon good Terms, and in such a State of Harmony as may, at all times, Conduce to the public Welfare.

"It might, with reason, have been expected, Gentlemen, that the late Solemn Determination of the King in Council, with respect to the points so long contested betwixt the Governors and Assemblies of this Province, might have satisfied the minds of all, and have put a period to any further disputes of that kind, both on account of the acknowledged Wisdom & Justice of that Board, as because it is the Tribunal appointed by our Constitution to judge, in the last resort, of all proceedings amongst us, whether Legislative or judicial.

"It could not, therefore, but surprize me to see it insinuated in your Message of the Tenth instant, that because his Majesty and Council (the only competent Judges in Cases of this nature), were pleased to differ in sentiment from you with regard to the justice and equity of certain provisions in your Supply Bill for the Year one thousand seven hundred & fifty-nine, you will therefore, decline granting the Aids now required by the King, for vigorously prosecuting the War, and reducing the Enemy to the necessity of accepting a peace on Terms of Glory & Advantage to his Majesty's Crown, and beneficial, in particular, to his Subjects in America.

"Were we an independent People, Gentlemen, and not accountable elsewhere, we might then form such a System of Laws and Government as seemed best to ourselves, and dignify whatever we pleased, with the name of Rights and Privileges, without paying the least regard to the usages and precedents of the Mother Country; but you are sensible the case is quite otherwise, and that all Laws passed in this, as well as in the other Colonies, are, from the very nature of our establishment, subject to the Revision & Controul of a Supream Judicatory, instituted for that and other good purposes, whose Decisions with respect to the propriety of them, are conclusive. I could have wished, therefore, that, considering the Dignity and great Talents of the Members who compose that Board, the imputation cast upon their Judgment, as being contrary to the Rights, and injurious to the properties of your Constituents, had been spared,

since Reflections of this kind may possibly prove prejudicial, but can never be of any Service to the Province.

"To what end you have chosen to introduce the history of the several Acts, by which Aids have been granted to the Crown, since the commencement of the present War, I do not conceive, unless it be for the opportunity of throwing reflections upon your Proprietaries, who have no otherwise injured you or desire to injure you that I know of, than by seeking to maintain their own just Rights & properties (a privilege never denied to the meanest Subject), both which they thought unjust attacked, in which they have been so happy as to be vindicated by those who alone have the power of judging between them and you.

"It would be an easy Task, Gentlemen, to shew that between the Supply Bill, passed in the Year 1757 and 1758, and those passed in 1759 & 1760, there is no such Similitude as to induce a necessary inference, that because the former have received the Royal Approbation, and the latter are also intitled to the same indulgence, for till plain contradictions be reconciled, it is impossible that any two things should be more unlike each other with respect to one principal object than the Bills passed at those different periods of time; inasmuch as in the former the Proprietary Estates, for a valuable consideration which you have not thought fit to take notice of, were totally exempted from all Assessment whatever, but, in the latter, are subjected to a very unequal one, from which they can only be secured by the Integrity of the Commissioners and Assessors.

"Nor can I think you ought to have built much more upon the approbation given to those Acts by the respective Governors who passed them, since, upon inspecting the Journals of your own House, you might easily have seen that the Assent given to those Acts was by no means Voluntary, but the effect of necessity, and extorted from at least one of them at a time when the Assembly refused to grant to his Majesty the necessary supplies upon any other Conditions.

"But as I have no pleasure, Gentlemen, in controversies of this kind, nor shall ever engage in them without being in some measure constrained thereto, I am glad to be called off from any further Animadversion on your Message, by a Letter I have just received from General Amherst, relative to the Business on which you were called together. This Letter I have ordered to be laid before you, and am in hopes it will have the effect of inducing you to re-consider his Majesty's Requisition, & to comply therewith in the most speedy and effectual manner, in which you cannot fail of doing a Service highly acceptable to his Majesty, and to a Nation that hath conferred such singular favours upon these Colonies.

"JAMES HAMILTON.

"April 14th, 1761."

At a Council held at Philadelphia, on Saturday the 18th of April, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &c^{a}.

Richard Peters, } Esquires.
Benjamin Chew, }

A Bill having been presented to the Governor for his Concurrence entitled "A Bill for granting to his Majesty the sum of Thirty Thousand Pounds, and for striking the same in Bills of Credit, & for providing a Fund for sinking the said Bills of Credit," the same was read and considered, and it appearing to have in it the very matters for which some former Acts of Assembly were repealed by the King in Council, the Govr was advised to repeal it and Assign his reason in a written Message, and to send the Secretary with the following verbal Message to know what Certificates had been given out by the Assembly.

A Verbal Message delivered by the Secretary, by order of the Governor, to ye Assembly.

"I am ordered by the Governor to desire the House will furnish him with a particular account of all the Certificates and Draughts on the Provincial Treasurer; and also with the amount of the Money due to the Masters or owners of Servants, heretofore enlisted into his Majesty's Service; and to the publick House-Keepers, for quartering Soldiers, which are made payable out of the Supply Bill now before him."

At a Council held at Philadelphia, 22d April, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor, &c^{a}.

Richard Peters, } Esqrs.
Benjamin Chew, }

The following Message to the Assembly was read, approved of, & sent to the House:

A Message from the Governor to the Assembly.

"Gentlemen:

"It was no less surprize than concern to me on perusing your Bill for granting to his Majesty the sum of Thirty thousand Pounds,

to find that within a few Months after his late Majesty had so expressly declared his Disapprobation of several provisions contained in your late Acts, as to make them the foundation of their Repeal, you have again ventured to renew them, and insert them in the present Bill as if no such Censure or Disapprobation had ever passed.

"With what view or intention you have done this I do not take upon me to determine, yet thus much I must have Leave to say, that it is a strong evidence of your paying but a very slender regard to the judgment of the King, and his Ministers, when of all the particulars objected to by them, so far as they are applicable to this Bill, you have not thought fit to conform to their Sentiments in respect to any of them.

"You cannot be unacquainted, Gentlemen, that in the Report of the Lords of Trade and Plantations, approved and confirmed by his late Majesty in Council, the three following particulars were not only objected to, but severely censured, as being either Encroachments on the prerogative of the Crown, or acts of injustice with regard to your Proprietaries, vizt:

"First. The blending and connecting together in the same Bill, Things which in their own nature are totally seperate, by which the Crown is reduced to the Alternative, either of passing what it disapproves, or of rejecting what may be necessary for the Publick Service, and which is expressly called a Tack.

"Secondly. The vesting in yourselves alone, the application of the publick Money, usurping, by this means, one of the most inviolable prerogatives of the executive power, not countenanced by any example of the British Parliament, who always considered the application of the publick money subject to account, as one of the most indisputed Powers of the Crown.

"Thirdly. Your contending that the Proprietaries should be bound to receive their Rents in paper Currency, notwithstandding the express words of their Covenants, in Sterling.

"Having thus recited the purport of his late Majesty's Sentiments upon these several points, I shall proceed to shew that, by the Bill sent up for my Concurrence, every Rule and principle therein established is either directly or virtually contravened, and set at nought; but in order to do this the more clearly, it is necessary to state the Facts upon the first and second objections fully, by which means the proof of both may be comprized under one and the same article.

"Since the commencement of the present War, the Parliament of Great Britain have, from time to time, granted large sums of Money, to be apportioned by the King, to the several Colonies, for reimbursing them a part of the Expences they have been put to by the Aids they have granted to his Majesty for prosecuting the War in America. In consequence hereof, a considerable Sum of Money hath been allotted, and is ready to be paid, for the use of this Pro-

vince, whenever a person shall be properly authorized by both Branches of the Legislature, to receive it, & not otherwise; for, as the Money was granted to the whole Legislature, the Board appointed to pay it have insisted that the Person applying to receive it should be empowered by the same authority. The Governor, as one branch of the Legislature, in September last, did offer to join with Assembly in appointing Agents to apply for and receive the Money so granted, on condition of his retaining a concurrrent power, with them, in the superintending & applying it to the purposes to be appointed by Law. The Assembly, on the contrary, being desirous to deprive the Governor of any share or management of the Money granted, or to be granted by parliament, as aforesaid, and to subject the whole to their own power, independent of him, under the pretence, indeed, of applying it to the payment of the publick Debts, and, in abatement of the Taxes, did present to him a seperate Bill, 'for the appointment of Agents to receive the same, and invest it in the publick Stocks, in their own names, and empowering the Trustees of the Loan Office, when thereto required by the immediate direction of the House, to draw upon them for the Money, and apply it to the Purposes aforesaid.' But, as they had therein attempted to deprive the Governor both of his Share in the Nomination of the Agents, and of any concurrent power with themselves, in the Superintendence and due application of the Money, and had not limited a time in which the said Money should be drawn for and applied as aforesaid, he therefore refused his assent to the Bill, and which the House, no longer expecting to accomplish their Purposes by a seperate Bill, have now seized the occasion of his Majesty's demanding an aid from the Province, to blend and connect these unconstitutional Claims with the supply Bill, which they will not suffer to be altered or amended, in order to oblige the Governor either to give up so essential a branch of the Prerogative, or to subject himself to the King's Displeasure, for refusing the supplies offered him.

"If these Facts be rightly stated, Gentlemen, as I conceive they are, then the Clause in your Bill relating to the Management & Disposition of the Money granted by Parliament, which is the same in effect I refused my Assent to before, and its being inseperably joined to the Clauses for granting an aid to his Majesty, will, in my opinion, be a convincing Proof that the present Bill is justly liable to the Censure passed upon the former Acts, of being both a Tack to the Supply Bill (by which the King's Representative is denied the free use of his Negative in the Legislature), and as tending to usurp one of the most inviolable Prerogatives of the executive power in the Application of the publick money, subject to account, which being once given up, would be to change, in a great Degree, the Constitution, and sap the Foundations of Government.

"With respect to the third point, The Lords of Trade in their Report, of which you have a Copy, have reasoned so fully, and so

much better than I am capable of, on the subject of your contending that the Proprietaries should be bound to receive their quit-rents in paper Currency, notwithstanding their express Covenants in Stirling, and have also expressed his Majesty's opinion in respect to reservations of that kind, in Colonies immediately under his own Government, that I shall not venture to say anything further upon that head, but only put you in mind that your present Bill contains a Clause of the same nature with that objected to by his Majesty in council, and that you have not offered any Compensation to the Proprietaries for the Loss they are to sustain thereby, tho' former Assemblies were both sensible of the justice of such Compensation, and made it accordingly.

"I was in great hopes, Gentlemen, that on your being convened to consider of his Majesty's requisition, you would not have fallen short of the other Colonies in a zealous and ready compliance with it, considering the importance of the Service for which your aid is required; and I flatter myself that this might have been easily done, without laying any new Burthens upon the People, or running the risque of our falling into fresh Contentions about the means of doing it, as has been too often the case in respect to Bills of this nature; but as these means do not seem to have occurred to you, I hope to be excused for pointing them out to you.

"You are sensible, Gentlemen, that there is a sum of Money lying in the hands of your Agent in England (part of the parliamentary Grant) more than sufficient to answer all the purposes of the Present Bill, even tho' you had double the number of men thereby granted to his Majesty; and since the making use of this Money could occasion no Controversy between You and me, why might not a Bill have been prepared, empowering the Trustees forthwith to draw for it, and pay the produce, or such part as should be necessary, into the hands of the Commissioners, to be applied to the present service? Or to what end should you think of overwhelming the province with Floods of paper Money, at a time when that Currency is depreciating so fast as must necessarily prove injurious, not only to the English Merchants trading hither, but to every man in the province who is possessed of property in a personal Estate, and more particularly to Widows and Orphans? Or why would you chuse to propose creating a Fund for sinking this Money, upon Terms which you well know I neither ought or can accept of without breaking in upon the just and established Rights of Government, when all these Difficulties and Inconveniences might be so easily avoided by making use of that Fund, which is absolutely in your power?

"Perhaps you will say, gentlemen, that the Money lying in your Agents' Hands is by Law appropriated to the payment of the publick Debts, and therefore ought not to be diverted to any other Service. But pray, Gentlemen, has one shilling of it as yet been applied to that purpose? Or, if that was an objection to our using

it for any other Service, does it not equally lie against the making use of the Money heretofore allotted, and not received, as a Fund for sinking the sum of Thirty thousand Pounds in Bills of Credit, voted to his Majesty, as you have proposed in the present Bill? The cases then are exactly similar, except that you chuse to give Money of which we are not possessed, rather than that of which we are.

"But further to obviate that objection, you may please to remember, gentlemen, that there is an express provision in the Act empowering the Governor & Assembly to dispose of the Money in your Agents' hands to any purpose they think fit; and I do not think it can be better disposed of than by granting such a part of it to his Majesty as may be sufficient for the present Service, and applying the remainder (if any) to the payment of the public Debts, and in abatement of the Taxes; for I can by no means think it reputable to, or becoming any Governm^{t} to be trafficking with the people's money, while they at the same time are paying Taxes for it. Dealing in the Stocks has always been deemed as a more reputable sort of Gaming, by which Loss, as well as Gain, may accrue to the adventurers. Individuals may do as they please with their own Money; but the giving ease to the people by lightening the Burthen of their Taxes ought not to be delayed, under the precarious expectations of encreasing the public Stock.

"Upon the whole, Gentlemen, a regard to the just rights of Government, which I shall on all occasions think myself indispensably obliged to support and maintain, and the greatest Deference I bear to the judgment and opinion of our late gracious Sovereign and his Ministers, who have actually repealed some of the Acts of this Province for the reasons I have above set forth, render it impossible for me to give my assent to the Bill now before me. At the same time, I cannot but express the highest concern, lest his Majesty's Service should be obstructed, if any Difference in opinion between us, on the present occasion, should deprive him of the Aids he demands from this Province. I must, therefore, recommend it to you, Gentlemen, in the warmest manner, to reconsider the Bill, and if you will not accede to the Amendments I have proposed thereto, to fall on some other means of complying with his Majesty's most reasonable Requisition, by forming a new Bill, free from the objections I have herein pointed out to you.

"JAMES HAMILTON.

"April 22nd, 1761."

Amendments to the Bill Entituled "An Act for granting to his Majesty the Sum of Thirty thousand Pounds, and for striking the same in Bills of Credit, and for providing a Fund for sinking the said Bills of Credit."

"Page 4, Line 5. Dele the words [John Serjeant] and insert the words [David Barclay, junior, and John Barclay].

"Page 5, Line the last. After the word [house] add as follows [countersigned by the Governor & Commander-in-Chief of this Province for the time being, and not otherwise].

"Page 6, Line first. Dele the name [John Sergeant] and insert [David Barclay, j^{r}, and Jno Barclay].

"Same page, Line 4. After the word [same] add as follows [together with all the Gain, Profits, Interest, or Emoluments, thereon arising or accruing, or that may or shall by any Ways or Means, whatsoever, be made thereof].

"Same pa. Line 6. Dele the name [John Sergeant] and insert [David Barclay, j^{r}, & Jno Barclay].

"Same pa. Line 14. After the word [being] insert [By a resolve of the House of Assembly, countersigned by the Governor and Commander-in-Chief of this Province for the time being, and not otherwise].

"Page 7, Line 3. After the word [Colony] add [and all the Profits, Interest, or Emoluments, that shall or may arise thereon as aforesaid].

"Same pa. Line 8. Dele the words [so much of the] and instead thereof insert the words [all and every, the Sum and Sums of].

"Same page. Dele from the word [as] in the 12th Line, to the word [use] inclusive in the penult Line.

"Same pa., last Line. After the word [for] add [in manner aforesaid].

"Page 9, Line 1. Dele the words [Residue of the].

"Page 9th, Line 8. After the word [Destroy] insert the following Clause, vizt: [*Provided always, and be it further enacted by the Authority aforesaid,* That if the said Benjamin Franklin, Robert Charles, David Barclay, Junr, and John Barclay, or the Survivors or Survivor of them, shall not have received within the aforesaid Term of two Years after the passing this Act, or within Six Months after a peace between the Crowns of Great Britain and France shall be proclaimed within this province, the whole Money which is or shall be allotted to this Colony, as the Distributive Share and proportion of the Sum or Sums of Money granted or to be granted as aforesaid, Then, and in such Case, the Residue of the said Sum and Sums of Money, with the Interest, Profits, & Emoluments thereof, if any, shall be drawn for in manner aforesaid, within the Term of Six Months after the respective Receipts of the same by them, or the Survivors or Survivor of them; and the said Trustees,

towards sinking the said several Sums of Money heretofore granted to his Majesty's Use, & in abatment of the Taxes laid for that purpose, shall pay all the Money arising by the sale of such Bills or Draughts in Bills of Credit, into the hands of the Committe of Assembly aforesaid, who shall burn, sink, and destroy the same, in manner herein before directed].

"Page 15, Line 9. After the word [whatsoever] add [Rents reserved, or Debts due, or to become due, and payable in Stirling Money to the Proprietors of this Province, only excepted and foreprized].

"Same pa., penult Line. After the word [received] add [except as before excepted].

"Page 22, Line 7. Dele the words [John Sergeant] and instead thereof insert the words [David Barclay, junior, and John Barclay].

"22d April, 1761."

The two Bills to which the Governor gave his Assent, the one Entituled "A Supplement to the Act entituled 'An Act for laying a Duty on Nogroes and Mulattoe Slaves imported into this Province;'" the other "A Supplement to the Act intitled 'An Act to prevent Exportation of bad & unmerchantable Staves, Heading, Boards, and Timber,'" having been compared with the engrossed Copies, and the House, with their Speaker, attending in the Council Chamber, they were enacted into Laws and the Great Seal affixed to them, and they were afterwards lodged in the Roll's Office.

On the 23rd of April, the following Message, in answer to the Governor's of yesterday, was delivered by two Members, who acquainted the Governor that the House inclined to adjourn to the 7th of September next, to which he made no other objection than that it would be more agreeable to him, if they could agree to frame a new Bill, or accede to his Amedments of the one rejected.

A Message to the Governor from the Assembly.

"May it please your Honour:

"We have taken into Consideration Your Message which attended the Bill for granting Supplies to the Crown, in pursuance of his Majesty's gracious Requisition, and cannot, consistent with the Rights of Assembly, and that Duty we owe the people we represent, admit of the Amendments proposed therein; nor can we think of framing a new Bill for this Purpose, as we have already prepared, and presented to your Honour, a Bill similar in its Essentials to one which hath received the Approbation of his Majesty, and, as we apprehend, reasonable and just in all its parts; besides, we know of no other method, consistent with our Rights, but may be liable to objections of equal Weight with those made by your Honour to the said Bill.

"The House being very much fatigued with the great length of time spent in the publick Business at this inconvenient Season of the Year, are obliged to content themselves for the present with this general answer; but, as your two last Messages contain matters which we think it our indispensable duty to answer in a more particular manner, we have appointed a Committee to report more fully thereon to the House at their next meeting.

"Signed by order of the House,

"ISAAC NORRIS, *Speaker.*

"April 23rd, 1761."

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MEMORANDUM.

The Governor having received Intelligence that the Connecticut people were still at Cushietunck, and that others were designing to come from Connecticut, in order to settle the Indians' Lands up to the very Susquehannah, He sent Captn. James Hyndshaw to observe what was doing there, or likely to be done, and on his return, Mr. Hyndshaw delivered in the following Report, to which he made Oath:

The Oath of Captn. James Hyndshaw taken before the Govr.

"*Pennsylvania, ss:*

"On the twenty-ninth day of April, in the year of our Lord, one thousand seven hundred and sixty-one, before the Honourable James Hamilton, Esqr., Lieutenant Governor, and Commander-in-Chief of the Province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, upon Delaware, Personally appeared James Hyndshaw, of the County of Northampton, in the said Province, Gentleman, and made Oath on the Holy Evangelists, that he being lately employed and desired by the said Governor Hamilton, to take a Journey to Cushietunck, in the back part of the said County of Northampton, to observe what progress the Connecticut people were making in their new settlement there, this Deponent sat out on the said Journey on the sixteenth day of this Instant April, and got, the next day, to a Tavern kept by peter Kuykendale, on or near the River Delaware, at Mackhackamack, in Sussex County, West New Jersey, and there saw and talked with one ——— Halbert, who told this Deponent that he came from Connecticut, & was going with his Family to live at the said new settlement at Cushietunck, under a Connecticut Right; That this Deponent also enquired of the said Peter Kuykendale concerning the said Settlement, & in a Conversation they had on that subject the said Kuykendale informed him that about two days before some of the Indians who lived on Delaware, at or near Cushietunck (of whom the Connecticut People had made their pretended purchase of those

Lands), had been at his House, and acquainted him that they, the said Indians, had sent two of their Chief Men to Teedyuscung and the Indians of Wyomink, with two Belts of Wampum, one White and the other Black, in order to know their Determination with respect to the Connecticut People's new intended settlements at Cushietunck and Wyomink, and that the design of the Indians sending the Black Belt (as this Deponant understood from the said Kuykendale & from his own knowledge of the Indian Customs), was to Denounce or signify to Teedyuscung and the other Indians at Wyomink and Susquehanna, that if they should give an unfavourable Answer and intend to give any Opposition to the Connecticut people settling at Cushietunck or Wyomink, then they, the said Indians, who sent the said Belts, were resolved to join with the Connecticut People, and settle them there by force and in spite of such opposition of Teedyuscung & his Indians. That he, this Deponent, proceeded on his Journey the same day from Kuykendale's, and overtook on the Road to Cushietunck Three men armed with Gunns, leading each a horse loaden with Provisions, who acquainted him that they were going to settle at Cushietunck under a Connecticut Right; That he stop'd in the Evening at a place about thirteen miles on this side of Cushietunck, where he fell in with two other of the Settlers who came from Cushietunck in pursuit of a tired Ox that they had left behind, and they having lighted up a fire stayed with them all night, and the next Morning, crossing Delaware, he went on to Cushietunck, and there put up at the house of Moses Thomas, one of the principal Men of the Settlement, and saw over the Door an Advertizement, signed Moses Thomas, giving notice to all the Inhabitants of the Settlement that they were to meet at his, the said Thomas's house on the Monday following, in order to chuse a Magistrate and their other Officers for the ensuing Year, and also to consult on other Affairs relating to the Settlement; That the said Moses Thomas not being at home, this Deponent went and found him at Work at a new erected Mill for grinding Corn, and entering into a Conversation with him about the Settlement, the said Thomas told this Deponent that he wondered the Lord Penn should send up there a Proclamation threatning them with the Indians; that he was settled there under a Connecticut right, which he thought a good one, but if it should prove otherwise he would take and hold his Land under the Lord Penn, it being all one to him; That he this Deponent found also at the said Mill three Indians, one of them called Madolene, whom this deponent had seen and known at Easton, and who, speaking pretty good English, ask'd this deponent in a very earnest manner, what his Business was there, and told him that the Indians at Susquehannah were much dissatisfied with the Connecticut people's settling at Cushietunck, and were resolved, if the Governor of Pennsylvania would not send them away, that they, the said Indians, would drive them away by force, and acquainted this Deponent that he had heard

that Three hundred men were also to come from Connecticut to settle at Sasquehannah; That this Deponent saw four Houses which the said settlers had built at Cushietunck, and they told him there were other Houses which he did not see, and he observed that there were a great many Families in the said Moses Thomas's house, the Beds lying as thick on the Floors as they commonly do in an Hospital; and that he also saw there a large Block House, which the said settlers were building, designed as they told this Deponent for a defence against the Indians, and that they intended to get some Swivel Guns for it; That in his return home he met with three other men armed with Guns, and each leading a Horse laden with Provisions who told this Deponent that they came from Connecticut, and were going to settle at Cushietunck; That on his coming back to the said Kuykendale's he found eleven men more, also, armed with Guns, who told him that they were going with Captain Tracey, one of their head men, to settle at Cushietunck; and also acquainted this Deponent that the Proprietors (as they called them) of another Settlement proposed to be made by the Connecticut people on Susquehannah had voted or appointed four hundred men to go to settle there; and also that they had laid out another Town at about eight miles Westward from the Cushietunck Settlement, and nearer to Sasquehannah; and saith that he was informed by the said Indians, whom he saw at Cushietunck, that the Connecticut People had been marking Trees for Twenty miles from Delaware in the way towards Susquehannah; and that he was told by Nathan Parks, one of the New settlers at Cushietunck, that they had also laid out Lots for a Town, at a place called Leighwackson, within a Tract of Land purchased of the Indians by the Proprietaries of Pennsylvania, and surveyed for them in the Year one thousand seven hundred and forty-nine, and that they intended to settle it in like manner under the Connecticut Right.

"JAMES HYNDSHAW.

"Taken and sworn before me the day and year above said.

"JAMES HAMILTON."

At a Conference with Three Nantycoke Indians, named Jemmy, Jacob, and John White, from Chenango on the river Susquehannah, the 5th May, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor, &^{ca}.

Richard Peters, Esqr.
Andrew M'Nair.

Jemmy was the Speaker, and pulling out a Belt he spoke in tolerable good English, as follows:

"Brother:

"We three Indians live at Chenango, We are of the Nantycoke Nation; We received this Belt from the Seven Nations to whom it was delivered by an Indian by whom they only understood that it came from the Governor of Philad[a] but could not tell what Message was sent along with it. The seven nations, thereupon, sent some of their people to us, requesting that we would take the belt to the Governor and carry a Message to him in the name of the seven Nations; This is our Errand; and now Brother hear what the seven Nations say; We speak their words, not our own.

"Brother:

"It is about twelve months since, we, the Seven Nations, received this Belt, and as it was interpreted to us, We understood by it, that the Governor of Pennsylvania took hold of our hand and invited us to come to the Council Fire at Philadelphia; We understood further, that the Governor had something to say to us, but on what subject we could not learn; We have not a right understanding of this Belt. The Governor, we suppose, has something to discourse with us upon, and he sees an Indian and asks him to take a Belt for him to the seven Nations. The Indian carries it to his Town and there sees another Indian and gives it to him to carry, this other Indian, likewise, carries it as far as his Town, and when he sees an Indian coming there from some other place nearer the seven Nations, he gives him the Belt, & so it goes thro' many hands, and at last reaches the Seven Nations, but the last man knows not what was intended to be said to them with the Belt. We think whatever it is that it could not come from the Governor's heart, or he would not have sent it by Indians comming accidentally to him.

"We, therefore, send three of our Nations who live at Chenango to our Brother, the Governor, to acquaint him with our Notions of this matter.

"We tell him that there is a Council Fire at Onondago with the seven Nations, and another Council Fire at Philadelphia, both which were Kindled of old by our Forefathers, & at the same time they made a large and good Road from one place to the other.

"Therefore, Brother, when the Seven Nations want to say any thing to you, they send some of their own Indians, and they travel in this old and great Road. We would have you, likewise, when you want any thing of us send some of your own people with the Message, and we will be glad to receive them, and hear what you have to say, and let them come directly to us, and make use of the known Road. If they think they cannot travel that Road safely, We, or any of the Indians will go along with them, and conduct them to the Seven Nations. But we desire that the Governor wou'd not send his Messages by Indians, as we run the risque of not understanding them, & think that the Governor is not much concerned for any thing sent in such a manner."

"This is all that the seven Nations desired us to say, and to give you the Belt."

He delivered over the Belt.

Being asked if they were desired to receive and carry any Message from the Governor, either that supposed to be sent by the Belt or any other, they said no; and that the Governor should send now and at all times by his own people.

There being no Interpreter, and the Governor thinking he did not clearly understand what was said, Stephen Caloin and Jos. Mickty were sent for, and the above is according to their Interpretation.

At a Conference held at the State House the 15th May, 1761, with three Nantycoke Indians, named Jemmy, Jacob, & John White, from Chenango, on the River Susquehannah.

PRESENT:

The Governor.

Israel Pemberton.

Joseph Fox.

The Governor spoke as follows in answer to the Message deliver'd to him by the said Indians on the 5 instant:

"Brothers:

"Whatever occasion calls you or any of our Indian Friends to Philadelphia, I and the good people of this Province are always glad to see you; and accordingly we now take you by the hand, and bid you heartily Welcome. You tell me you were sent by the Seven Nations to know the meaning of a Belt from this Province, that has been passing about among those Nations for near a Year past, without their being able to understand what the meaning or intention of it might be; And you have brought back the Belt to me, to know what was intended by it.

"Brothers:

"I desire you will hearken to what I am about to say, for I shall now explain myself upon that head, in a Message directed to the seven Nations, which I desire you will distinctly remember, and deliver to those who sent you as soon as you return to your own homes. The Message is as follows, vizt:

"Brethren of the United Nations:

"Every opportunity of confirming the Friendship which hath so long subsisted between you and the People of this Province gives me pleasure. I, therefore, consider your care in sending Messengers to enquire the meaning of the Belt you sent back to me, as an in-

stance of your Friendship; Your care therein, and your practice of sending Your Messages by some of your own people is certainly right, and what I likewise observe.

"That Belt was last Year given by me to Robert White and some other Nanticoke and Conoy Indians, who made us a friendly visit. I gave it to assure them that I, and the people of this Province, would keep the Road clear for them, and all our Indian Friends, to travel freely to us, and back again to their own habitations.

"I must now speak to another point.

"Brethren:

"I and the people of this Province have, in consequence of the Promise made by your Councellors and headmen at Easton more than two Years ago, been ever since waiting to see our Flesh and Blood that still remain Prisoners in some parts of the Indian Country returned to us.

"We do not believe there are many of them at or near Onondago, but among divers Nations of Indians in Alliance with You we know there are many, and we cannot be easy till we see them brought back to us.

"And as I gave that Belt to assure all our Indian Friends who might see it of our keeping the Road clear, and of our friendly intentions towards them, So I now take this opportunity of reminding you of your promise, and to tell you that whenever you, or any of the Indians in alliance with you, will come with, or send us home our people who have been long kep't prisoners, We shall be glad to see you; and we are assured that by your Assistance this good work may be soon perfected, which will be the greatest proof you can give us of your ffriendship.

"Your Messengers have been kindly entertained, and, we hope, leave us well satisfied; and as a confirmation of what I have said to you, I give you this String of Wampum."

Gave a long string of black & white Wampum.

The Indian Speaker, Jemmy, being asked by the Governor whether he desired to have back again the Belt he brought down, answered that since the meaning of it now was understood, he thought it might be very proper for him to take it back, to which the Governor agreed, & in an hour after sent the belt to Mr. Fox to be given to him.

The same Indian then acquainted the Governor that there was at Chenango one Samuel Roots, a German Soldier, who had deserted from Oswego, & had lived with the Indians two Years, but was afraid to come to his ffriends in York County least he should be taken up and punished, and therefore prayed the Governor's protection; which the Governor immediately granted without restriction if he belonged to the provincials, and in case he belonged to the Regulars, promised to use his endeavors with the commanding

Officer of his regiment to screen him from punishment; and then signed a paper to that purpose, to be delivered to the said Samuel Roots by the said Indian. (And then the Conference ended).

At a Council at the State house the 22nd May, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Govr, &c^{a}.

Benjamin Chew, Lynford Lardner, } Esq^{rs}.
Joseph Turner, }

Some Members of Assembly and divers other Inhabitants of Philadelphia.

Indians.

Greyeyes, alias Sir William Johnson, alias Coquetakeghton, Winghynunt; both Indians.

Isaac Stille, Andrew Montour, } Interpreters.
Nicholas Tittamy, }

The Governor desired the Interpreter to let the Indians know that he is ready to receive their Message, and hear what they have to say.

Greyeyes spoke as follows, (interpreted by Isaac Stille).

"Brother:

"I will shew you a token by which you may know that I am sent to you by my Chief men at Allegheny, namely, Tomaqui or King Beaver, and Netalwalemut."

[Produces a large Belt of Wampum mark't G. R., and a smaller mark't T. K].

Then proceeds. "I am glad, Brother, to see so many of you; I was chosen to come and see you, our Brethren, here; I was ordered to come and see those here who have our Friendship.

"Brother:

"Now I will tell you what my Chief men say to you; I assure you I am very well pleased that you have finished the good work of Friendship that was begun at Easton, and which your Warriors and head Men at Pittsburgh have seconded so well.

"Brother:

"This peace has a good Face, and seems to be as well established as that made by William Penn and Lappawinza at Pensberry, at the first Settlement of the Province.

"Brother:

"I am well pleased that you have made the Road clear from where you sit to where my Chief men sit; You spoke the Truth

when you promised to clear that Road, because in travelling I found it so."

[Gave a Belt of Seven Rows].

"Now, Brother, we come here on purpose to view the place of your Council Fire, where your old men and ours used to meet, and formerly sat and agreed together as brothers. I am very glad to find those Council Seats very clean, and the Fire burning clear; They look as they formerly did; Our old men are now preparing to come again to visit you, and take their Seats with you at this Council Fire as they used to do."

[Gave a Belt of 10 Rows].

"Brother:

"This is all I have in charge to say to you at present."

The Governor then ask't what time their Chief men proposed to come here?

Greyeyes answered. "They have fix't no certain Time, but are preparing to come as soon as they can, and they will sett a time and send a Messenger to acquaint you with it; and how many Nations are coming."

At a Council at the State House, the 25th May, 1761.

PRESENT:

His Honour the Governor.

Benjamin Chew, Esqr.

Some Members of Assembly, and other Inhabitants of Philadelphia.

Indians and Interpreters, } Same as at the first Conference.

The Governor desired the Interpreters to let the Indians know that he was ready to speak to them, and give them an answer to their Message delivered to him on Saturday, And then made the following Speech, interpreted to the Indians by Isaac Stille and Andrew Montour, vizt:

"Brethren: King Beaver, and all the Indians at Allegheny:

"The dark Clouds which were raised between us by the Evil Spirit being now happily removed and dispersed by the peace made at Easton, I am glad to hear from you again, our old Friends and Brethren.

"The Road that leads from your Country to us, is again open; The blood that was spilt upon it is buried under ground; We shall take care to keep it clean, that we may pass safely along it to visit and talk to one another, face to face, as our fore-Fathers did of old,

and lay open our hearts to each other, that nothing may hereafter arise to disturb our Friendship, or that of our Children, as long as the Sun shall Shine.

"Brethren:

"I am very much pleased to hear you intend soon to come to our Council Fire, where your Wisemen and ours used to sit and smoak together, as Children of the same Father. We, on our part, did never let this Fire burn quite out, tho' a great deal of Water did, some time ago, fall upon it; But we have again kindled it up, and made it burn as bright as ever, and have rub'd the Seats about it clean to receive you; By this Belt, therefore, I take you by the hand, and lead you down, either to Lancaster or Reading, as shall be most agreeable to you, to one of which places I will remove the Fire, when you will let me know you are upon the Road, to save you the trouble of travelling too far."

A Belt of 10 Rows.

"Brethren:

"I must put you in mind that at the time of our Exchanging the great peace Belt at Easton, which you have since laid hold of, and put into your Bosoms, it was expressly promised by all the Nations of Indians, & made a principal article of that Treaty, that our Flesh and Blood, who have been so long prisoners among the Indians, should be delivered up to us, and that if any of them had gone down their Throats, they would heave them up again, I must, therefore, most earnestly desire that you will bring with you all the prisoners you have, and use your Interest with all the Indians in Alliance with you, to do the same, and wipe away the Tears from our Eyes, that nothing sorrowful may rest upon our mind on so joyful an occasion as that of meeting you, our Brethren, after so long an absence.

A Belt of 11 Rows.

"In Consideration of your Services, & your Fatigue in the long Journey you have taken, I have ordered some Cloaths to be delivered to you, to supply the place of those you have worn out, and have torn by the Bushes on the Road."

The Governor ordered the following Letters to be entered, which had passed between him, Governor Fitch, and General Amherst, on the affair of the people from Connecticut, settling the Lands of Cushietunck, &c^a^, together with the Attorney General's opinion about it.

The Attorney General's opinion concerning the Connecticut Trespassers.

"Q. Whether the people of Connecticut have any Colour or pretence under their Charter to set up this right to this Tract of Land,

Westward of New Jersey, thro' pennsylvania as far as the south Sea, and what is most advisable for the Proprietaries of Pennsylvania to do in case the Government of Connecticut persist in their Claim?

"If all the Colonies in North America were to remain at this Day bounded in point of Right, as they are described in the Original Grants of each, I do not believe there is one Settlement in that part of the Globe that has not in some measure either been encroached upon or else usurped upon its neighbour, So that if the Grants were of themselves the only Rule between the contending Plantations, there never could be an end of their Disputes without unsettling large Tracts of Land where the Inhabitants have no better Title to produce than either Possession or posterior Grants, which in point of Law would be Superseded by prior Charters. Hence, I conceive that many other circumstances must be taken into Consideration besides the parchment Boundary, For that may at this day be extended or narrowed by Possession, Acquiescence, or Agreement, by the Situation and Condition of the Territory at the time of the Grant, as well as by various other matters with respect to the present dispute; The Western Boundary of Connecticut was Barr'd at the time of the original Grant by the Dutch Settlement, and the Crown was deceived when they Were prevailed upon to convey a Territory which belonged to another State, then in Amity with the Crown of England; Besides this objection, the Settlement of the new Boundary under the King's Commission in 1664, and what is still stronger, the new Line marked out by Agreement between this Province & New York, has now conclusively precluded Connecticut from advancing one foot beyond these Limits.

"It was absolutely necessary for the Crown, after the Cession of New Netherlands, to decide the Clashing rights of the D. of York and the adjoining Colonies, & therefore, all that was done by virtue of the Commission then awarded for that purpose, must at this day be deemed valid, as the Nations have ever since that time submitted to those Determinations, & the Colonies of New York and Jersey submit only upon the authority of those Acts. I am of opinion, therefore, that the Province of Connecticut has no right to resume their ancient Boundary by over Leaping the Province of New York, or to encroach upon the Pennsylvania Grant, which was not made till after the Connecticut Boundary had been reduced by new Confines, which restored the Land beyond those Settlements Westward to the Crown, and laid them open to a new Grant. The state of the Country in dispute is a material State Reason why the Crown ought to interpose in the present Case, and put a stop to this growing Mischief; but I doubt this Business cannot be adjusted very soon, because Mr. Penn must apply to the Crown for Relief, which method of proceeding will necessarily take up time, as the province of Connecticut must have notice and be heard.

"C. PRATT.

"March 7th, 1761."

"Q. 1st. Are these Patents or Commissions thus made valid in Law? and if not how are they to be avoided?

"I am of opinion that these Commissions, which were granted immediately after the act of Assembly passed, must be taken to have been granted in pursuance of that Act, and therefore, now that Act has been rejected, must drop, of Course, and whatever the Governor's intention might be at that time, no parol Evidence will be admitted, to explain his Design or to show in what Capacity, or under what right he granted these Commissions, and therefore the Law will rather presume they were made according to Law under the directions of the Act, than against the Governor's Instructions, and in Breach of his Duty. I think that the Commissions are ipso facto vacated by the rejection of the Act, and Mr. Penn is at liberty to grant new Commissions without any proceeding by scire facias, for the others are absolutely suspended.

"C. PRATT.

"March 7, 1761."

A Letter to General Amherst from Governor Hamilton.

"PHILADELPHIA, May 10th, 1761.

"Sir:

"I am greatly concerned at being under a necessity of giving your Excellency some trouble in an affair that hath lately happened in this Province. I was in hopes the measures taken by me would have put a stop to it, and that there wou'd have been no occasion to have taken up any part of your time about it; but as those measures have failed, I have good reason to think that nothing less than your interposition can prevent the renewal of fresh Disturbances from our Indian Allies, and I have the satisfaction to find that Sir William Johnson, to whom I have communicated what hath passed, joins with me in opinion, with respect to the propriety of applying to you on the Subject.

"The story is a very long one, but in order to save your Excellency what trouble I may, I shall relate no more of it than is absolutely necessary to give you a just conception of the transaction, & of the train of evils it may be productive of.

"In the Year 1754, some of the Inhabitants of Connecticut enter'd into an association to settle the Lands at Wyomink, and other Lands upon the Rivers Susquehannah and Delaware, in the very Center of this Province, under a pretence that the same were included within the Connecticut Grant from the Crown, notwithstanding that the Western Boundaries of that Colony were adjudged (by a decree of the King in Council, in the Year 1700), to extend no further than to the Eastern bounds of the province of New York.

"If the right to the Lands in Question was only a matter of dispute between the King's Subjects, the common course prescribed

by Law might be taken, and the matter be thereby brought to a legal issue, & in that Case there would be no occasion for me to give your Excellency any trouble about it.

"But it happens unfortunately that these very Lands are claimed by the Six Nations (as having not yet been purchased from them), Who, on an application made to them for that purpose, at the time of the Convention of the Deputies of the several North American Governm^{ts}, at Albany, in the Months of June and July, 1754, did declare that they would not upon any account part with those Lands, either to the people of Connecticut or to the Proprietors of Pennsylvania, but that the same should be reserved for their hunting Grounds, and did insist that no White people should be permitted to take possession of them, to which end they (the Six Nations in Council) did then and there appoint John Sheck Calamy, one of the Oneida Nation, living at that time near to Fort Augusta, to be their Agent for those Lands, with express orders that in case any White people should attempt to settle upon any of the Lands between the Rivers Susquehannah & Delaware, to the Northward of the Proprietary purchases, He should immediately make Complaint thereof to the Governor of this province, in order that they might be forthwith removed.

"Having had the Honour at that time to be in the administration of this Government, and being made acquainted with the sentiments of the Six Nations upon this head by the report of two Gentlemen, whom I had commission'd to treat with them for a new purchase of Lands in behalf of the proprietors; I was no sooner informed of a Settlement intended to be made by the people of Connecticut on those reserved Lands, than I immediately wrote by express to Mr. Wolcot and Mr. Fitch, then Governor and Lieutenant Governor of that Colony, setting forth the intelligence I had received & the consequences to be apprehended from such a proceeding, and desired to know if those people were countenanced by that Government, & on their both declaring that they had not received any such countenance, and Mr. Fitch in particular expressing a bad opinion of the design, I thought they would have desisted from any further prosecution of it, but it seems they did not. However, upon their making some fresh attempts in the fall of that Year, Mr. Morris, who succeeded me in the administration, made such very strong remonstrances to the Government of Connecticut thereupon, that the matter was no further prosecuted at that time.

"As the Letters wrote by myself and Mr. Morris, with the answers of the then Governors of Connecticut, contain a true relation of this Transaction, I have directed them to be copied, and take the liberty to send them herewith for your Excellency's information.

"Besides what passed at Albany in the Year 1754, I beg leave to acquaint your Excellency with some other circumstances attending this affair, which cannot fail to make the present attempt to settle those Lands appear in a very bad light to our Indian Allies.

"Several Tribes of Indians, tributary to and dependant on the six Nations, & particularly the Delawares & Nanticokes, finding themselves streightned for want of room in the English Settlements, were obliged to remove, and were placed by the Six Nations at Wyomink and other places on the River Susquehannah, where they lived till the War broke out, and then, being seduced by the French, were deeply concerned in the ravages committed on our Frontiers. After some time, by the assistance of Sir William Johnson & the Six Nations, they were prevailed on to suspend Hostilities, & brought to confer with us, and at Length a peace was concluded at a Treaty held at Easton in the Year 1758, with their Chief Teedyuscung, by whose good Offices, & the influence of the Six Nations, the Indians to the Westward were drawn off from the French Interest at the very time that General Forbes was on his March against Fort Du Quesne, which greatly facilitated the reduction of that Fortress.

"And in order to satisfy your Excellency how much those Indians have it at heart to be quieted in the peaceable possession of the Lands now attempted to be invaded by the Connecticut People, and of how great importance it may be to the future harmony and good understanding between us, that strict Faith should be kept with them by his Majesty's subjects, Mr. Peters, one of the Members of Council of this Province, who waits upon your Excellency on this occasion, will have the Honour to lay before you Extracts from the Easton Treaty, by which the solemn Stipulations this Government was obliged to enter into with them on this Subject will appear, and without which it is probable that all our Endeavours to conciliate their Friendship would have proved fruitless.

"In consequence of these Stipulations, which have never been violated by us in a single instance, and at the request of the Indians, this Government hath, at the publick Expence, built houses for them at Wiomink, and hath from time to time, as there was occasion, supplied them with Flour and other necessaries, without entertaining the least suspicion that the Connecticut people would ever again think of renewing their project for settling those Lands, so circumstanced as is above set forth. Nevertheless, some time last Summer, they did, as I am informed, renew their purpose, and in consequence thereof began to take possession, open Roads, and lay out Townships, with intent to appropriate and settle them for their own advadvantage. I did not, however, hear of their proceedings till September last, when I immediately dispatched the Sheriff and Magistrates of Northampton County, in which the Lands lie, to bring me a certain account of what they should see doing there, and with orders (in case they should find any Persons whatever attempting to make a settlement) to let them into the circumstances of those Lands, and to warn them off.

"In the mean time Teedyuscung, who had also heard of these Proceedings, came down to me and made a formal Complaint of the breach of the Treaty entered into between us & the Indians at Easton.

"When, by the return of the Sheriff and Magistrates, and the report they made to me, I knew the thing to be certainly true, I forthwith wrote to the Governor of Connecticut acquainting him with these proceedings, and requesting him to use his utmost Influence with the people of his Government to desist from prosecuting so unjust a Scheme at the risque of being cut off by the Indians, and involving us in a new War with those people; but to my great Surprize I have not yet received any answer to my Letter.

"I delayed not, however, to issue a proclamation strictly prohibiting all persons from joining with, or in anywise aiding or abetting such dangerous practices, and caused the same to be published, as well seperate as in the Gazettee, to the end that all might have due notice to avoid engaging themselves in so unwarrantable an enterprize.

"The report of the Gentlemen who was sent by me the last Fall to order the intruders to remove, The late Conferences with Teedyuscung, & my Proclamation upon the Subject, with Mr. Hyndshaw's deposition, who was upon the Spot about three weeks ago, of all which copies are herewith sent, will furnish your Excellency with every thing I know relating to this unhappy affair. Sorry I am that it was not in my power to make you Master of this Subject without engaging your patience in so long a Detail; but I am in hopes the importance of the matter will not only make my apology, but engage your Excellency to use your influence with the Governor of Connecticut to recall these Intruders, and not suffer them either to retain their possessions, or to make any Settlements in that Country.

"Your Excellency will please to observe, by the complaint lately made to me by Teedyuscung, that the Indians are not only alarmed, but greatly irritated at these proceedings, and have threatened to remove the people by force, should their application to us prove ineffectual, which may in its consequences involve us again in a War with them—an event much to be dreaded, as it must of course be grievous to this and the neighbouring provinces, and very injurious to the British Interest in General; but I flatter myself these Evils will be prevented by your Excellency's timely interposition in such manner as you shall think most proper and likely to answer the purpose.

"I have the honour to be, with the greatest respect,

"Sir, your Excellency's most obedient

"and most humble Servant,

"JAMES HAMILTON.

"General AMHERST."

A Letter from the Governor of Connecticut to Gov'r Hamilton in answer to his of the 10th of February last.

NORWALK, 7th May, 1761.

"Sir:

"Upon receiving your Letter of the 10th February, I thought it expedient to make some more particular Enquiry concerning those affairs you mentioned than I had before made, that I might give as exact an account of those matters as I could obtain, and shonld have wrote you an answer some time since but have been prevented by indisposition, which I presume will be a sufficient excuse for my not acknowledging the receipt of your Letter till now; I find that in May, 1755, a memorial was preferred to the Assembly by some Gentlemen in behalf of certain Purchasers who were therein called the Susquehannah Company, representing they had, for a very valuable Consideration Bonafide, purchased from all the allowed Chiefs of the Six Nations or Iroquois a large Tract of Land situate on the Susquehannah River, about sixty or Seventy Miles North and South, and from about Ten Miles East of said river, to extend two degrees Westward for the purpose of carrying on a Numerous and well regulated Plantation; and that as they were sensible such purchase could not alone vest in them the absolute Fee, they were also equally apprehensive of the necessity of obtaining his Majesty's Confirmation and royal authority to their Incorporation, but as they suppose the Lands lay within the original Limits of the Connecticut Charter, they were doubtful whether the former Grant contained in that Charter might not be objected to their obtaining such Confirmation, as they signified to be their Intention to apply for. Upon this the Assembly signified their opinion that the peaceable and orderly erecting and carrying on a well regulated Colony or Plantation there, might have a good effect &ca., and accordingly manifested their ready acquiesance therein if it should be his Majesty's royal pleasure to grant said Lands to the Petitioners, and thereupon to settle and erect a new Colony in such form, and under such regulations as might be consistent with his royal Wisdom; whether the Assembly at that time had any apprehension those Lands were in the Limits of the Charter of Pennsylvania or not, I am not able to say; I suppose very few, if any, among us were acquainted with the particular description of the Bounds of that Charter; But whether such purchase and proceedure interfered with any other Claim, the Assembly did not undertake to consider, as the motion was that they should by some Declaration signify that Connecticut would make no claim under the charter to this Colony, in opposition to their motion to the Crown, which the Assembly readily made; Thus Sir, you see that the Assembly have been so far from making a Grant of those Lands that they rather disclaim them and leave those who have any Challenges by purchase, or former Grants, to conduct and manage as they think proper.

"This Government, therefore, as such, have no concern in those affairs, nor have any inclination or disposition to interest itself in any dispute about those Lands; and, altho' the purchasers may, most of them, live in Connecticut, yet, as they act in a private Capacity, and even out of the Government, we can do nothing only by advice relative to their Conduct under another Jurisdiction. The impropriety, therefore, of this Government undertaking to prohibit people's purchasing Lands in the Limits of your proprietary's Claim, and in your Government or any other, save our own, must be very apparent, as every Government has the sole right to command, forbid, &c^a., in its own Jurisdiction, so has pennsylvania in the present Case, if these things are within it; Nevertheless, as far as my influence will extend, I shall not fail in using it to prevent the ill consequences you mention; but if those purchasers should apply to the King, You will, doubtless, have a fair opportunity to oppose any motion they may make.

"I have lately heard there are another set of purchasers, called the Delaware Company, but I know but little about them, only I suppose they claim more East, than the other, and am ready to think the Familys you mentioned to be settled in those parts are under that Company, but who they be, when and what they purchased, I am not informed.

"I am, Sir, with much respect,

"Your most Obedient and most humble Servant,

"THOS. FITCH.

"Governor HAMILTON."

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Extract of Governor Fitch's Letter to General Amherst, communicated by the General to Governor Hamilton.

(Extract.)

"HARTFORD, 30th, May, 1761.

"Mr. Hamilton, sometime since, wrote to me on that affair, to whom I sent an answer, which, I trust, will be to his Satisfaction, but he had not received it when he wrote to you; I acquainted him that there were a number of Persons, mostly, I supposed, living in Connecticut, who represented to the Assembly they had purchased of all the allowed Chiefs of the Six Nations of Indians, a large Tract of Land on the Susquehannah river, and proposed to petition the King for a Charter, but as it was supposed it lay within the Original Bounds of the Connecticut Charter, it might, on that account, be objected against them, it had been already granted, &c^a.; On this, the Assembly declared that if his Majesty should think proper to grant their request, this Government acquiesced therein, which is no more than saying they had no objection or claim against

it, and that this Company have, as yet, made no pretence of entring on those Lands.

"I acquainted him, likewise, there was another Company of Purchasers (as I was informed), who called themselves the Delaware Company, but who they were, or of whom they purchased, I was not able to say, and that it was from this last mentioned Company, those people who had entered on those Lands proceeded, and with regard to both, that they were particular Persons, acting for themselves, and that the Government in no ways interested itself with, or was concerned for them.

"You will therefore see, Sir, there is no dispute between the two Governments about those Lands; Nevertheless I acquainted him I would use my Influence to prevent the Ill consequences he mentioned, and as I am sensible a Controversy with the Indians would be very unhappy, I shall endeavour all I can to diswade the people that live in Connecticut from laying any foundation for such bad Consequences.

"THO$^{S.}$ FITCH.

"His Excellency General AMHERST."

One the 29th of May, 1761, The Indian Telinemut delivered to the Governor two prisoners, viz$^{t.}$: Amy Brennan, aged 18 Years, and Elizabeth Carr, a very young Girl, and informed him that more would have been sent, but they were delivered to Sir William Johnson by the Indians who sent them.

A Letter from his Excellency General Amherst, with a return of the English prisoners inclosed in the said Letter were read, and is as follows:

A Letter from General Amherst to the Governor.

"ALBANY, 15th June, 1761.

"Sir:

"Amongst the Children lately sent from Canada, that had been in the hands of the Indians, & some that had been secreted by the Canadians, I find there are six that were taken in the Government of Pennsylv$^{a.}$ and two in Virginia, all whom I now send you, with the inclosed return which contains all the intelligence I can give you of them. And I beg you will be pleased to deliver them to their parents or relations, and forward the two belonging to Virginia with a proper passport, that they may be restored to their parents.

"The person whom I have sent with these Children, has received provisions for them during their passage, and has my orders on his arrival at Amboy, to provide them with what they may want, and proceed with them to Philadelphia.

"I enclose you paragraphs of a Letter I have received from Governor Fitch, in answer to the one I acquainted you I intended to write him, in relation to the encroachments making by the Connec-

ticut people in the Government of Pennsylvania, & hope that affair will be amicably settled for the mutual advantages of both provinces.

"I am, with great Regard, Sir,
"Your most Obedient humble servant,
"JEFF. AMHERST.

"Honble. Lieut^t. Govr. HAMILTON."

Return of English Children, delivered up by the Indians and Canadians, that were taken in the Province of Pennsylvania & Colony of Virginia.

Nicholas Silvias, of Plowpark, in pennsylvania, taken in 1755, by Indians.

John Mann, of Marsh Creek, in pennsylvania, taken in 1758, by Indians.

Frederick Payer, Of Low Bergen, in Pennsylvania, taken in 1756. His Father killed, but his Mother is, he believes, still living.

Anne Coon, of pennsylvania; her Mother Dead, & her Father was taken at the same time.

Isaac Toople, taken near presque Isle in 1756.

Mary Williams, Daughter to one Daniel Williams, taken by Indians on the Delaware, about Five Years ago; Believes her Father and Mother were killed.

Peter Dawson, of Virginia, taken in 1755, near the Ohio.

Richard Underwood, taken about Winchester; belongs to Virginia.

James Cristis, Upon examination, appears to belong to the Mohawk River, and therefore is not sent.

At a Council held at Philadelphia, on Wednesday the 29th July, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &^ca.

Richard Peters, Benjamin Chew, } Esq^rs.
Thomas Cadwallader,

The Governor informed the Council that he had some time ago received three Belts from a very large number of Indians of the six nations and their Dependants, who were, at the time they dispatched their Messenger, got as far as Wyomink, on their way to Easton to hold a Treaty with them, & that they desired he would meet them there, and send them Waggons, provisions, & Paint; & that he was further informed they were by this time come to Easton. The

Governor further told the Council that as he had not invited these Indians, and had no Business with them that he knew of, except to receive Prisoners; some he understood had not many with them; they must have been invited by some officious people of this City, and therefore, he thought it necessary that the Council should attend at Easton, & invited them to accompany him, and proposed to sett out on Saturday, the Commissioners having agreed to bear all Expences and to attend the Treaty in Person.

At a Council held at Philadelphia on Saturday the 15th August, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr Lieutenant Govr, &^{ca}.

Joseph Turner, Richard Peters, } Esq^{rs}.
Benjamin Chew, Thomas Cadwallader, }

The Minutes of the several Indian Conferences held at Easton, were read, settled, and approved, and are as follows:

Minutes of Conferences, &c^{a}.

At a Conference with the Indians at Easton, on Monday the 3rd Aug^{t}, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor.

Richard Peters and Benjamin Chew, Esq^{rs}, of the Council of ye Province.

Joseph Fox, Esquire, one of the provincial Commissioners, & several other Gentlemen from Philadelphia and other parts of the Province.

The Deputies of the

Onondagoes,	Nanticokes,
Cayugas,	Delawares,
Oneidas,	Tutiloes,
Mohickons,	Conoys,

Men, Women, and Children, about four hundred in number, which increased afterwards to near Five hundred.

Seneca George, Speaker.

Samuel Weiser, James Sherlock, Joseph Pepy, } Interpreters.

The Governor opened the Conference with the usual Ceremonies of giving them a String to bid them heartily welcome, & another

to wipe the sweat from their Bodies, to take the Thorns and Briars out of their Legs and Feet, to clear their Throats, and open their Hearts, after which he acquainted them that he was, or would at any time be ready, upon their giving him notice, to attend to any thing they had to say to him.

Then Seneca George stood up and spoke as follows, vizt:

"Brother Onas:

"I am very glad to meet you here at this time, & to find that the Sky is clear, and that the road is open, and safe to travel in; I speak this in behalf of Seven Nations, and all their Cousins, Captains and Warriors; & thank the Almighty that he has once more brought us all together, to shake hands."

A String.

"Brother Onas:

"We Suppose that during the late Troubles, you may have lost many of your people, either by sickness or War, since we were last together; by this String, therefore, we wipe away the Tears from your Eyes, clear your Throats, wash away the Blood from your Bodies, sweep the Council Chamber, & throw the dirt out of Doors, that you may see and speak to us clearly at the present Conference."

A String.

"Brother Onas:

"We, the Seven Nations, and all our Cousins, are sorry, from the Bottom of our Hearts, for the Death of your Men, Women, & Children, & by this Belt we collect all their Bones together, bury them in one Grave, and cover them up."

A Black Belt of 8 Rows, streaked with White.

"Brother Onas:

"We, the seven Nations, and our Cousins are at a great loss, and sit in darkness, as well as you, by the death of Conrad Weiser, as since his Death we cannot so well understand one another; By this Belt we cover his Body with Bark."

A White Belt with 7 Rows with 4 Black Streaks.

"Brother Onas:

"By the last Belt, I mentioned to you that we both sat in Darkness, now by this Belt I remove the Clouds from before the sun, that we may see it rise & sett, and that our hearts may be eased from sorrow, on account of what I mentioned before."

A White Belt of 5 Rows, with 3 Black Barrs.

After the delivery of the Belt he added (having forgot it before) "We pray the great God above, who can enlighten our Hearts, that we may live in Love and Peace until Death.

"Brother Onas:

"Having taken notice of the Death of Conrad Weiser, and the Darkness it has occasioned amongst us, I now, by this Belt, (taking

hold of the Belt in the Middle) raise up another Interpreter, by whose assistance we may understand one another clearly.

"Brother Onas:

("Speaking with the other part of the Belt) You know that in former times, when great men grew old and died, we used to put others in their Places. Now, as Conrad Weiser (who was a great Man, and one-half a Seven Nation Indian, & one-half an Englishman), is dead, we recommend it to the Governor to appoint his Son (pointing to Samuel Weiser, then present) to succeed him as an Interpreter, and to take care of the Seven Nations & their Cousins. We take hold of this Belt, & clasp our hands together in Friendship & desire you will not neglect our request."

A Black and White Belt of 8 Rows.

"Brother Onas:

"Jenochiaada, the Chief of the Onondagoes, send this String by Ashenoch to his Brother, the Governor, saying:

"Brother:

"When I receive a Letter from you I cannot understand it, which I think very hard; and we ought to have somebody living among us, who can understand and interpret your Messages & the Letters you send to us; wherefore I take my Child, James Sherlock, by the hand and present him to you, that with your leave he may live amongst us, and serve us as an Interpreter on all Occasions."

Three Strings.

"Brother Onas:

"Having, by the last String, recommended James Sherlock to you, as an Interpreter, we have no more to say to you at present, but to inform you that we have sufficiently rested ourselves, after the fatigue of our Journey, eased our hearts of all Sorrow, and are ready to hear any thing you have to say to us."

Three Strings.

The Governor then informed them that he thanked them for what they had said, & would return them an answer at another time, and in a more convenient place, of which he would give them timely Notice.

At a Conference with the Indians on Wednesday, the 5th August, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Richard Peters, Benjamin Chew, Esq[rs.], of the Council of the Province, &ca., &ca., &ca., as before.

Samuel Weiser, Isaac Stille, David Seisberger, Interpreters.

Tokahaio, the Cayuga Chief, stood up and spoke:

"Brother Onas:

"By this Belt, three Years ago, at a Treaty held here at Easton, the Governor invited us to come down in great numbers. As we were not all then present, & now that we do all appear, we return you the Belt that had been given us at the making the peace, and are glad to see you here Face to Face."

A very large White Belt of 18 Rows.

"Brother Onas:

"You told us by this Belt, three Years ago, that you removed this, which is but a little Fire, to Philadelphia, where our Ancestors formerly kindled their great fire, & made all their Alliancies & Treaties.

"Brother Onas:

"By this other Belt, you, at the same time, cleared the road to the great Council Fire at philadelphia, & remove all obstructions out of it, that it might be open for us to pass in safety."

Two Belts joined together.

"Brother Onas:

"By this Belt, you at the same time, told us that you cleared our Ears, that all the Nations might hear what you had to say to us."

A White Belt of 7 Rows, striped.

"Brother Onas:

"At the same time you told us that our Eyes were bad, & that by this String you cleared them, that we might be able to see a great ways, and every thing that passed."

Six White Strings.

"Brother Onas:

"You also gave us this String, and told us we seemed a little Shy, but desired we would lay aside all such thoughts, for you had no ill intentions against us."

Three White Strings.

"Brother Onas:

"This string was sent to us, the Six Nations, by seven Nations of Indians over the Lakes, who have formerly been in the French Interest, but have lately entered into an Alliance with us, desiring that they might lay hold with us, of one end of the Chain of Friendship that subsists between us and the English, and we desire the Governor that they may be accepted as Friends."

The names of the seven Nations above mentioned, are as follows, vizt:

Warontas, Schesova, Cochnawagechorna, Neoquechta.
Scheiquoucehrona, Connechsatagechrona, Chesochechrona.
Ten White Strings.

"Brother Onas:

"When we came as far as Fort Allen, you sent us this string by Mr. Horsefield, inviting us to come down to Easton, & now that we are come, we return it to you again."

Four White Strings.

"Brother Onas:

"By this string you told us on Monday last, that you were very glad to see us all well here; we are likewise glad to see you, and return it you again."

Three White Strings.

"Brother Onas:

"By this String you wiped the sweat from our Bodies, took the Thorns from our Legs and Feet, cleared our Throats, and opened our Hearts; we thank you, and return it you again."

Four Strings, chequered.

"Brother Onas:

"These three Belts were brought to us, the Onondagoes, by the Oneidas, but they brought no Speeches with them; we, therefore, return them to you again, for as they are your own Belts, you may know their meaning; we do not."

One Belt of Eleven, one of eight, & one of 7 Rows, black & White.

Being asked if they were brought altogether, or at different times, they answered, that they were all brought by one Messenger, about a Year ago, which Messenger was an Oneida, but that they do not know his name. Being asked how the Oneida came by them, and what he said, they answered, that he said no more, but that they were about the Governor's Business.

Papounan, by one of his Indians called Toughachena, living at Wighalousin, then spoke to the Governor as follows:

"Agreeable to your request when I was at Philadelphia last Summer, I carried your Message to Achoan, the Chief of the Minisinks, respecting his sending the English prisoners, and I now deliver you Achon's Answer:

"Brother Onas:

"You desired me last Year that I should clear myself, as your Brothers that live at Wighalousin did, by which you would have a proof of my Friendship. After I received your Message, I took it away to my Uncles, the Senecas, and delivered to them what you had said to me, upon which they advised me to deliver up all the Captives. Now, Brother, I would have you not be impatient, and I will come as soon as possible. I will hunt up all the Captives

that are amongst us, & will not leave one, but will bring them all; but I have not yet found them all. I expect to come when the Corn is ripe; but if I should fail then, I will certainly come by the Spring."

Three White strings.

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At a Conference with the Indians the same day in the Afternoon. Present as before.

Teedyuscung, the Chief of the Delawares, stood up and spoke:

"Brother, and all the rest of my Brethren and Uncles, attend:

"I intend to take no other method than what I have already agreed with the Governor. Brother, now I take the soft Feather to clear your ears, which our Grandfathers used for the same purpose, that you may hear distinctly what I may say."

Four chequered Strings.

"Brother:

"I desire you wou'd now hear me. I beg you would frame that good heart God has given you in a right way, that you may sensibly feel and have a right understanding of what I am going to say to you."

Four chequer'd Strings.

"Brother:

"I am come here to this place, where we met about three Years ago. I then told you I would take that medicine which our maker has ordered for us, to apply to any wounds we may have. I likewise told you that I do not apply it any where but where the wound is. I have now come to see whether the wound is healed or no."

A Belt of 8 rows.

"Brother:

"You then told me, when you looked on the Road our Grandfathers laid out, that you observed many Bushes and much Grass grow there, so that you could not see me. You then took me by the hand.

"Brother:

"All my Young men, as far as the Tweteeway Nations, have let me know that they intend firmly to join in & stand to whatever you and I have agreed on; and all those Young men I have with me, Mohickons, Opies, and Delawares, say they will not take notice of what few drops of Blood have stained our road, but will look steady to our agreement."

A Black Belt of 7 Rows & 5 chequered strings.

"Brother:

"Observe what I am going to say, and I will let you know we have cleared ourselves as far as Makehalousing, Papounan's House; I will assure you, that I want to make a peace between us as lasting

as the world. I call the Almighty to witness that I have no Captives in my possession as far as Makahelousink."

Seven chequered Strings.

"Brother:

"I have one thing more to say; I would not have you look to me any more for any thing, for I believe nothing will ever make us differ again, except it is your fault, for I am sure nothing on my part shall cause it; therefore, if any thing should fall out, examine your own Hearts, for it must spring from you, because all our Young men have put it into the Care of their chiefs to manage affairs."

Three chequered Strings.

"Brother:

"Our Grandfathers used to hold great Treaties of Peace and good Friendship, now we that succeed them will do the same; they used to agree that we should have one Ear and one Eye, now, you sit at Philadelphia, and I am alway in the Country, and whatever one hears or sees, the other should hear it & see it also, because we are Brothers."

Thirteen chequered strings.

"Brother:

"As I told you just now, that we have one Ear, I desire you would hear me; my Uncles, the Seven Nations, that sit here now, desire me to leave Wyomink, for Fear; I answered, I will not leave it so suddenly; but if I should see any Danger, I will endeavour to jump out of the way of that Danger."

A Black and White Belt of Six Rows.

"Brother:

"My Uncles have now put some Tobacco in my pouch; they tell me I must steadily look towards the Mountains, and if you see English Brethren coming over the Mountain, you must light your pipe, and come to us (the Mingoes), & we will receive you."

A White Belt of Six Rows, striped.

"Brother:

"It is about three Years ago, that I desired my Uncles would give me a Deed for the Lands at Wyomink, but as they have not done it, I believe I shall get up and leave it; for you know, according to your Custom, you hold all Lands by Deeds, and if our Uncles had given us a Deed, our Children would enjoy them afterwards; If they had given me a Deed, my Children and Grand Children would live there as long as the world lasts; but as that is not done, I believe I shall leave it."

A Belt of Twelve Rows.

At a Conference with the Indians at Easton on Friday the Seventh of August, 1761.

PRESENT:

The Honourable James Hamilton, Esqr, Lieutenant Governor of the province of Pennsylvania.

Richard Peters & Benjamin Chew, Esq^rs, of the Council of the Province.

Joseph Fox, Esqr, one of the provincial Commissioners, and several other Gentlemen from Philadelphia & other parts of the province.

The Deputies of the

Onondagoes,	Mohickons,
Cayugas,	Delawares,
Oneidas,	Tuteloes,
Nanticokes,	Conoys.

Men, Women & Children, about Four hundred in number.

The Governor, addressing himself to the Indians present, spoke as follows, vizt:

"Brethren of the Six Nations & all the other Indian Nations now present:

"Hearken to me while I return an answer to your Speeches of Monday and Wednesday last.

"Brethren:

"It gives me pleasure to hear that you have found the Sky clear & the Road to this Council Fire open and safe, and I join with you in returning thanks to the Almighty, that he has once more brought us all together to speak to one another, as Brethren and Friends, Face to Face."

A string.

"Brethren:

"We thank you for remembering those whom we have lost during the late Troubles, either by sickness or War, & for wiping away the Tears from our Eyes, clearing our Throats, washing away the Blood from our Bodies, & sweeping clean the Chamber Council. In return we most heartily condole with you, the Seven Nations, and all your Cousins & Warriors, for the death of all our Indian Brethren who have died or been killed, since we last met in Council, and with this String we wipe away the Tears from your Eyes, clear your Throats, wash away the Blood from your Bodies, sweep the Council Chamber, & throw the dirt out of Doors, that there may be nothing to Interrupt our present friendly Conference.

A String.

"Brethren:

"With this Belt we collect together the Bones of all your Men, Women, and Children, and most affectionately bury them in one Grave, that they may rest in peace forever."

A Belt.

"Brethren:

"We are very sensible, with you, that both of us have sustained a very heavy loss by the death of our old and good friend, Conrad Weiser, who was an able, experienced, & faithful Interpreter, & one of the Council of the Seven Nations; and that since his Death, we, as well as you, have sat in Darkness, and are at a great loss for want of well understanding what we say to one another. We mourn, with you, for his death, & heartily join in covering his Body with Bark."

A Belt.

"Brethren:

"By this Belt we dispel the dark Clouds which, you have justly observed, the death of our good Friend has occasioned, and make the sky perfectly clear again, that we may behold the light all the Day long. We ease your Hearts from the Grief you were under, on this Mounful account, & we pray God that we may forever live together in peace & Love."

A Belt.

"Brethren:

"Having thus paid our regards to our deceased Friend, we cannot but observe with you that there is a necessity of appointing some other person to succeed him, by whose assistance we may be enabled to find the true sense and meaning of what there may be occasion to say to one another, either in Council, or by Letters, or Messages.

"Brethren:

"In conformity to the ancient Custom of taking from among the Relations of any great Man who dies, some fit person to supply his place (as Mr. Weiser was by adoption one of the Six Nations, though by birth one of us), we think you did well to cast your Eyes upon one of his Children; and, inasmuch as Samuel Weiser is the only one amongst them who has any knowledge of the Indian Language, & has lived among you, we shall be glad to make Tryal of him for the present, and if we find him capable of serving in the Office of Interpreter, & in the management of Indian Affairs (in both which Capacities his Father so well acquitted himself), we shall appoint him to that Service. We look upon this choice of yours as a mark of your grateful Affection for Conrad Weiser, who was always your sincere Friend, and we join this Belt to your's in token of our Concurrence as far as to Make tryal of him."

Their Belt and another.

"Brethren:

"I have now answered every thing that you of the seven united Nations said to me at our last Meeting. I now address myself to Jenochryada, the Onondagoe Chief, to answer the Message he sent to me by Ashenoch.

"Brother Jenochryada:

"You tell me that James Sherlock has for some time past lived with you; I am glad to hear he has behaved to you in such a man-

ner as to obtain your good opinion of him, and I hope he will continue to prove himself worthy of your Confidence; I have no objection to his living among you, or to your employing him in any Business you may have to transact with us, which you think him capable of executing, but as he is a young man and quite a stranger to me, I cannot consent to employ him as an Interpreter for this Government until I have as full an experience of his abilities & good disposition as you have had. In the mean time, if I should have any occasion of sending Messages or Letters to your Nation, I shall commit the care of them to Messengers of my own, and desire you will observe the same method, as the likeliest means to our right understanding of one another, and preventing Mistakes which might otherwise happen."

A String.

"Brethren of the Seven United Nations:

"You told me that three Years ago, at a Treaty held here, I invited you, by this Belt, to come down in great numbers, as you were not then all present; and that, as you all were now here, you returned me this Belt, and were glad to see us here Face to Face.

"Brethren:

"My Councellors well remember, that this Belt was given you by the late Governor of this province, at the last Treaty, but you seem to have mistaken the end and purpose for which it was given; I must, therefore, inform you that it was given to you as a peace Belt, by which we then renewed our old Treaties, brightened the Chain of Friendship, Confirmed our former Union, and put fresh Earth to the Roots of the Tree of peace, that it might bear up against every Storm, & live and flourish to the end of Time, whilst the Sun should shine, and the Rivers run; and we then further desired you would publish this good News among your own and all other Indian Nations, who were your Friends & Allies, and engage them to Join with you in a firm peace with our great King and all his people. All this appears by the Minutes of that Treaty, taken down in writing at that time; You ought, therefore, to preserve this Belt as a Bond or earnest of the Engagements we then made to one another, and keep it safe in your Bosoms, and I now return it you for that purpose."

The Peace Belt returned.

"Brethren:

"You informed us that this String was sent from Seven Nations of Indians over the Lakes, who have formerly been in the French Interest, but have lately entered into your Alliance, desiring they might lay hold with you of one end of the Chain of Friendship, that subsists between you and the English.

"Brethren:

"It gives me great pleasure to hear that you have strengthened your Interest by entering into an Alliance with these Seven Na-

tions of Indians, who have been formerly in the Interest of the French. You and I are one Flesh and Blood, and I shall love and esteem all Indians whatsoever, who are in your Friendship I will take this String and send it to the King's Commander-in-Chief, and Sir William Johnson, & let them know the desire those Indians have of entering into Friendship and Alliance with the English, & I make no doubt but they will receive them with open Arms. To confirm my words, I give you this String."

A String.

"Brethren:

"I am very much surprized to hear from you, that these three Belts were brought to the Onondagoe Council, by an Oneida Indian, about a Year ago, without any Messages or Speeches to attend them. I can assure you, I did not send these Belts to the Onondagoe Council, & therefore I am at a loss to known the meaning of them, or from whom they came. I have frequently sent Messages into the Indian Country, to put them in mind of their promise to return to us our Flesh and Blood, who are prisoners among them, & to press them to fulfil that promise; and it is possible, that the Belt sent with the Messengers for that purpose, may have been forwarded to the Six Nation Council by mistake; I therefore now return you the Belts, that you may make further Enquiry of the Oneidas about them."

The Belts returned.

"Brethren:

"You acquainted me by these three Belts, first, that you were coming to see me, and were got as far as Wyomink; by the second you desired me to meet you at Easton; by the third you desire me to stop Strong Drink, & send you Waggons, Provisions, & Paint. As I have complied with these several requests, I now return you the Belts."

The three Belts returned.

"The several other Belts and Strings which you received from us at the last Treaty, and were returned by you to me the day before Yesterday, I have accepted, & put into the Council Bag.

"Brethren:

"Whatever may be the occasion of your coming down at this time, I can truly say I am glad to see my old Friends and Brethren once more, and take them by the hand, and will make you as welcome and easy, while you stay among us, as I possibly can. I have only further to say to you at present, that as we are now Face to Face, we should open our Hearts to one another, and let nothing remain upon our minds. If you, on your part, have any thing to offer or communicate to me that relates to the private Interest or concerns of this Province, or that can tend to promote & confirm our Friendship, & prevent all future causes of Jealousies and Discontent, I shall be glad to hear it."

A Belt.

At a Conference with the Indians on Saturday the 8th Augt 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, &ca., as before.

Joseph Pepy stood up & spoke as follows, vizt:

"Brother Onas:

"I am to speak a few words to you. We had a great Council Fire at Albany when a Friendship was first made with our Grandfathers, after which, about seven Years ago, our Brother, General Johnson, moved the Council Fire from Albany to his own House, where he said to us: 'I am one-half Indian & one-half English. What I say to my dear Brethren, the Seven Nations, shall be true.' The seven Nations were accordingly all assembled to the place where he had kindled the Fire, at which time he took up a Tomahawk, gave it to them, & told them he was going to War against the French, & desired them to join with him; & promised them, that after the French were all conquered and removed, Trade should be made open and free to them, and all kinds of Goods should become more cheap, & that their Furs and Skins should bear a good price.

"Last Year General Johnson appointed his Brethren, the Seven Nations, to meet him at Oswego, upon which they did assemble there, at which time General Johnson, observing that their Chiefs and Warriors were not all come, he sent a second Message, desiring them all to attend him there, and when they did come, he said:

"'Brethren:

"'I am very glad to see you here. I see many of your Chiefs are dead. I am now going against the French, and out of the prisoners I shall take from them I will put as many in their room.' Now, Brother Onas, as General Johnson has not performed his promise to us, we see death coming upon us, & the God above knows he has wronged us.

"Brother Onas:

"We give no Belt or String upon this Occasion, and only relate it as a matter of information to you.

"Brother Onas:

"Listen to what your Brethren of the Seven Nations say, in answer to what you told us Yesterday.

"You desired us to open our hearts, that nothing unknown may lay hid there, but that everything may come out; We desire by this Belt, that you may do the same."

A White Belt of 8 Rows, with 3 Black Barrs.

"Brother Onas:

"We see Brethren on each side of us; On the one side the Governor of Virginia, who does not speak or do right to us; on the other side,

General Johnson, who does the same. We have often heard you speak, & you always do and speak right and justly to us; every time you speak it does our hearts good. When we look towards you, General Johnson, & the Governor of Virginia, we esteem you all as one; how comes it, then, that you do not all speak alike? We, your Brethren of the seven Nations are penned up like Hoggs. There are Forts all around us, and therefore we are apprehensive that Death is coming upon us. We want nothing but Friendship with you, so long as the Sun shall shine & the Waters run."

A White Belt of 9 Rows and 4 Black Bars.

"Brother Onas:

"Hearken to what your Brethren, the Seven Nations are going to say to you. When our Grandfathers first made a friendship together, God saw it; Now we, and all the Nations, would stand to the agreement they made, and when any Nations smile upon us we will join with them. Now, Dear Brother, may God Almighty give us strength and Knowledge, to continue our Friendship. We look at no other, but to you, to hold fast the chain of Friendship. We are crushed on all sides, so that we cannot stir ourselves, nor look any way but to you. Now, dear Brother, that we see you Face to Face, we desire that you would not slack your Friendship, but hold it fast."

A Black & White Belt of 7 Rows.

"Brother Onas:

"I would only let you know, in a few words, how our Brother, Genl Johnson, served us. When we come to him for Ammunition, and bring our Skins, he does not give us the worth of our Skins, but only a handful of powder, and for that reason we think there is certain death coming upon us.

"He shuts up his powder from us, and will not give us more than will serve us two or three days. We only mention this to you, but if you will continue to smile on us, we will look to you."

A White belt of 6 rows & 3 black Bars.

"Brother Onas:

"We are now sensible that we were under a mistake with respect to the meaning of this Belt (holding up the large peace Belt). We should not have brought it back to you again, if we had known what it meant. We are very glad that you have explained it to us. We look upon it as the Belt of peace, & will shew it to all the Nations over the Lake, and will Lodge it in the Onondagoe Council, where the only General Council Fire is kept, and where it ought to remain.

"Brother Onas:

"This is all your Brethren of the Seven Nations have to say."

At a Conference with the Indians on Monday, the 10th of August, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, &c., &c., as before.

Tokahaio stood up and spoke as follows, vizt:

"Brother Onas:

"You will please to hear what the Six Nations are going to say to you. Some of the English have settled upon our Lands, but we don't know from whence they came. We hope that as you are strong you will assist us in preventing them from settling upon our Lands, that we may not be wronged out of them."

A Belt of 7 Rows, with 6 Diamonds & a Bar.

"Brother Onas:

"We have heard that this Land has been sold, but we do not know for certain by whom. The Six Nations have not sold it, & never intended it as yet. Whoever has sold the Land stole it from us, and only did it to fill their pockets with Money; but we have heard that two Tuscaroras, one Oneida, & one Mohawk, have sold it unknown to the Six Nations."

A String of 4 Rows.

"Brother Onas:

"Hear what we are going to say to you. You know there is a line made between you and us, and we desire that none of the English would settle on the other side of that Line. [Being asked what they meant by that Line, they answered, the Line of the purchase last made by this province from the Six Nations]. Some people have already settled over that Line, which people we do not like, & hope you will be strong and assist us in having them removed."

A Belt of 7 Rows with 3 black Diamonds.

"Brother Onas:

"We are very poorly off, as we have no Trade stirring among us, & as we have mentioned to you that the things we buy from General Johnson are very dear, we hope you will have pity on us, & erect a Trading House at Diahoga, that we may be able to buy our Goods cheaper. We are in great want of all kinds of Goods, but especially of powder and Lead, and hope you will supply us plentifully with them. We desire you would not allow any strong Liquor to be sent among us, as we shall fetch that ourselves whenever we shall want it. As soon as we see your people come with goods we will acquaint all our Young men with it, both far and near; & if your Goods are sold reasonable, we suppose that General Johnson will also sell his goods cheaper than he now does. We desire that you would send a good & honest man to trade with us."

A Belt of 7 Rows & 4 black Bars.

"Brother Onas:

"You have frequently sent us Messages by straggling Indians, Delawares, and others, upon whom there is no dependence. They sometimes lose the Belts & Messages, and sometimes drink them away, but if they happen to meet us, they are nothing but Nonsense. We desire you, therefore, that whenever you have Messages to send, you will send them by trusty Persons to our great Council Fire at Onondagoe, that we may be able to understand them rightly; and as we have chosen Samuel Weiser for that purpose, you can always send your Messages by him."

A chequered String of 4 Rows.

"Brother Onas:

"You have often made mention of your Flesh and Blood, who are Prisoners among us. 'Tis true, Brother, there are some of your Blood among us; there were Ten among the Cayugas, but our Brother, General Johnson, has also often spoke of them to us, & we have delivered them all up to him; there is none amongst us at present. You must now look for them amongst the Delawares, your Cousins."

A Belt of 5 Rows, with three Black Bars.

"Brother Onas:

"We have nothing further to say, and as we have been here a great while, we desire the Governor to make haste to dismiss us."

(James Sherlock reports, that he had a Belt from the Onondagoes to the Delawares, at Chugnot, above Diahoga, demanding the English prisoners they had; that he received one Woman from them, & was coming off with her in a Canoe, but that Mechtochraway, the Delaware King, followed him, and took her from him, telling him that the Delawares would not deliver up their Prisoners till they heard what their Brothers, the English, would say).

At a Conference with the Indians, on Tuesday the 11th of August.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, &c., as before.

The Governor, addressing himself to the seven United Nations, spoke as follows, vizt:

"Brethren of the Seven United Nations, & all our Indian Brethren now present:

"You desire me to open my heart, & conceal nothing from you; I give you this String to assure you that I will always communicate to you every thing that comes to my knowledge, or that rises up in my mind, which concerns our common Interest, & Keep no-

thing secret, but will agree that you and I shall have but one Eye, one Ear, and one Heart."

A String.

"Brethren:

"I am very sorry to hear that you apprehend General Johnson has been unkind to you; I am afraid the Evil Spirit is again endeavouring to blind your Eyes, and mislead you; You well know that General Johnson has, for a great number of Years past, manifested his Love & friendship for the Indians on many occasions, and you have as often given proofs of your Esteem & good opinion of him. You should not, therefore, suffer the Confidence and Trust you have reposed in him to be interrupted by any Jealousies or Suspicions, but you should open your hearts to him, & tell him your minds freely; I am persuaded he is a very worthy Gentlemen, & your good Friend, and if you will lay your Grievances before him, I am sure he will do you Justice if you have been injured, & remove all your uneasiness.

A Belt.

"Brethren:

"You say that you are afraid Death is coming upon you, & seem to apprehend yourselves to be in great Danger; I am much surprized to hear this, nor can I find out what has given Rise to your Fears, as there is now a perfect Peace and Friendship between you and all your Brethren, the English; you must not, therefore, make yourselves uneasy without any just Grounds or Foundation; I speak to you from the bottom of my heart, and do assure you that I never heard, nor do I believe that there are any ill Designs forming against you."

A Belt.

"Brethren:

"I thank you for the particular affection you express for the people of this Province; We have always made it a Rule to speak to you plainly, & from the bottom of our hearts, & to treat you not only justly, but with Brotherly love and kindness; And it now gives us great satisfaction to hear that you think so well of us; I assure you we desire nothing more than to live in perfect peace and friendship with you as long as the Sun and Moon endures; We will always hold the Chain of friendship in our hands, and keep it bright and free from rust, and in all our future Conduct to, and Dealing with you, continue to use you well, and give you every proof of our affection and regard for you."

A Belt.

"Brethren:

"I have Carefully considered that part of the Speech you made Yesterday, wherein you say that some Lands have been stole from you and sold by some Indians, who have no right to them, to the English who had settled upon them. I know of no Lands lying

within this Province which have not been purchased of you, that have been settled by the English, except a Tract lying on or near the River Delaware, about fifty miles above the Blue Mountains.

"Brethren:

"I am glad to have this opportunity of speaking to you on this Head; It is a matter of great Consequence, and has given me much concern; listen attentively, therefore, to what I shall say to you about this matter. You know that an Agreement was made a great while ago, between your Ancestors and your Brother Onas (which has been often renewed, and confirmed by many of your Chiefs now living) that your Brother Onas would never settle any Lands in this Province, till he had fairly purchased them of the Indians, who engaged that they would never sell any Lands in this Province to any other person than their Brother Onas; That you may refresh your Memories, & call to mind this Agreement, I give you this Belt."

A Belt.

"Brethren:

"A great number of People who lived in Connecticut Government came about a Year ago and settled near this River, beyond the Lines of the Lands purchased of you, at a place called Cushietunck, and claimed all the Lands from thence quite up to Wyomink. As soon as I heard it, I sent Messengers to them, informing them these Lands had never been purchased of the Indians, & desiring them to remove away. They sent me back for answer, that they had purchased all those Lands of you, and under that pretence had a right to them, and would hold them. Now, Brethren, as you have told me you will hide nothing from me, I desire you will tell me truly whether you have sold these Lands to these Strangers who have settled them against my will, and consent? (To which question the Six Nations made answer, That those were the Lands which they mentioned Yesterday to have been sold by four stragling Indians, without the Knowledge or Consent of their General Council, and that they understood Thomas King, an Oneida Indian, was one of those who sold those Lands.)

Upon which the Governor said:

"Brethren:

"You know all such private Sales are of no Force; I, therefore, join this String to the Belt, & desire you will send for those Indians in the Great Council at Onondagoe, and reprove them for their Conduct, and cancell their deeds."

A Belt and a large String.

"Brethren:

"I have already, by the consent of my wise men, set up two great Stores, or Trading Houses, to furnish the Indians with all sorts of Goods, at a cheap rate, one at Pittsburgh, and the other at Shamokin; at the last of which places you may easily supply your-

selves with whatever you want. The Expences, Losses, & many Difficulties which attend our sending Goods to these two places, are so great that I cannot set up another Store-house at so great a Distance as Diahoga according to your desire. I am sorry to refuse you anything, but if I should agree with you to do more than I can perform, you would have just reason to charge me with deceiving you. You must not, therefore, take it amiss, that I always speak plainly to you, and tell you my mind."

A Belt.

"Brethren:

"I told you before, that if I should have occasion to send you any Messages, I would commit the care of them to Messengers of my own; and as Samuel Weiser is a person recommended by you for that purpose, I will use him for the future."

A String.

"Brethren:

"I am pleased to hear you sent to General Johnson our Flesh & Blood, who were prisoners among the Cayugas. We esteem it as the Strongest Proof of your Friendship, that you can possibly give us. You all agreed at the Treaty held here three Years ago, that you would search all the Towns & Places in the Indian Countries for them, & deliver them up to us without leaving one behind; and that if they had gone down your Throats you would heave them up again. I am sorry that but very few have yet been brought back, though I know there are a great many scattered up & down among the Indians; We cannot help thinking that you speak only from your Lips, and not from your Hearts, whatever professions of regard you make for us, till this promise is performed, and we see our Fathers, Mothers and Children, who have been carried into Captivity, restored to us; this promise was the Condition on which the Peace Belt was exchanged between us. Some among you have been faithful, and sent back all the prisoners they had; I do not therefore address this part of my Speech to them, but take them to my heart; it is intended only, for such of the Indians as have deceived us, and still detain our Flesh and Blood. I sincerely wish to be friends with you all, & therefore, once more put you in mind of your engagements, and insist on your immediately complying with them, by restoring the Prisoners, that nothing may remain to make any difference between us to the end of time."

A Belt.

The Governor addressing himself to Teedyuscung, spoke as follows, vizt:

"Brother:

"Agreeable to your request, I have taken into serious Consideration what you said to me on Wednesday last, and shall answer you with the same good Will and Sincerity that true friends always use with one another."

A String.

"Brother:

"I readily acknowledge that you have been a great Instrument in bringing about the great work of Peace; &, according to the Promises you made us at this place three years ago, the Peace belt has been sent to several Nations of Indians who have since joined their hands to it, so that, by the Blessing of the Most High, the wound, by the means of the Medicine you have applied, is entirely healed; And it shall be my endeavour, as you say it shall be yours, to keep the wound from ever opening again."

A Belt:

"Brother:

"You tell me that all your Young men, as far as the Twightwees, & those now with you, Mohickons, Opies, and Delawares, intend to join in, & stand to whatever you and I have agreed to, and that they will not take notice of whatever Drops of Blood may have stained the Road, but will look steadily to our Agreements.

"Brother:

"I very much commend this resolution. It is a mark of Prudence and real Love for Peace; considering how many wicked Men there are in the World, it must be expected that private mischiefs and even Murders will now and then be committed. When this happens, we shall do well to let one another know of it, and join in taking all proper measures to detect and punish the Evil Doers. This being done, the public peace can never be affected or hurt. By this Belt I assure you that this is my Disposition & resolution, as well as it is yours."

A Belt and String.

"Brother:

"I take special notice of your declaring that you have cleared yourself as far as Wighalousin, Papounan's Town, as far as that place; you say you have no Prisoners, but they are all delivered up, and you want to make a peace as lasting as the World.

"Brother:

"I take this Public Declaration of yours very kindly. I believe you say true; if all like you would do the same thing—and they are engaged and have often promised to do it—the peace would last forever. On the part of this Government all Engagements shall be punctually observed; this String confirms my words."

A String.

"Brother:

"You say you would not have me look to you for anything further, for nothing will ever make a difference betwixt you and me, and therefore, if anything happens, it must spring from me, as your Young men have put all their affairs into the hands of their Chiefs.

"Brother:

"Assure yourself that my heart is good towards you, and that I shall take all the pains in my power to prevent any Breach of the Peace; keep but your Young men sober & in order, and let them

do no mischief to the Inhabitants, and I am well assured we shall always remain on good Terms, and enjoy all the Benefits of Peace."

A String.

"Brother:

"I agree with you that friendly Conferences between us are of great use, as they give us an opportunity of settling matters that may arise from time to time, which might otherwise breed misunderstandings between us. I shall be your Ear, and inform you constantly of anything that may concern you."

A String.

"Brother:

"I thank you for your information respecting what you told me was said to you by the seven Nations. You are now altogether; speak your minds to one another freely and affectionately, as friends and Relations should do, and agree now on all points. If you mean really to continue at Wyomink, let your Uncles know it, and they will, I doubt not, consent to it. They seem to apprehend that danger is nigh to you, as well as themselves; but I hope what I have said to them of the good disposition of General Johnson, will quiet both their and your fears. By this Belt I assure you that I will give you the earliest notice in my power if any harm should ever be intended against you. At present I know of none; I am assured that there is none."

A Belt.

"Brother:

"I shall be very sorry if you remove from Wyomink. This Province has chearfully, and at a considerable expence, assisted you to build Houses, and make your Settlements there commodious to you as long as You live. There you will always find us disposed to assist you; if you go away, it will not be so much in our Power. Consider this well. Your Uncles, who now hear me speak to you, will not, I hope, after placing you there, & after the expence that has been laid out by us in building Houses for you, desire you to go to live at another place, without Your giving them some Cause of complaint, and that I hope you never will do. In confirmation of the truth of what I now say to you, I give you this Belt."

A Belt.

The Governor then, addressing himself to the Papounan, spoke as follows:

"Brother Papounan:

"I thank you for your Care in sending my Message to Achoan, & for delivering his answer. I shall give you no more trouble in this matter, nor send him any more Messages, but expect his Uncles, the Seven Nations, will acquaint him with what I have so strongly urged upon them, during these Conferences, with respect to the delivery of the Prisoners."

At a Conference with the Indians the same day in ye Afternoon.

Present as before.

In consequence of the Governor's pressing demand for the Indians to deliver up all the English Prisoners they had now with them, they produced one Girl, & delivered her up in form to the Governor.

The Governor then spoke to the Indians.

"Brethren:

"I am now to inform you that, since our last Meeting at this place, three Years ago, the Road has been stained with a few drops of Blood. The first thing of this kind happened over Susquehanna, where one Indian Man, his Wife, and two Children were found dead, having been either murdered or drowned in the River Conedogwainet. It no sooner came to my knowledge, but I issued a Proclamation, offering Two hundred and sixty-six dollars as a reward for detecting and apprehending all such as should be concerned in this murder; but, notwithstanding all my endeavours, nothing certain has yet been discovered.

"About two months ago, our very good Friend, Thomas Hickman, was found shot in the Tuscarora Path Valley. One person is now in Goal, on suspicion; two others were put into prison, but set at Liberty again, at the instance of the Indians, it appearing to them that they were innocent. All possible endeavours are now using to find out who did this wicked Act. A reward has been offered by publick Proclamation for their apprehension, & I hope we shall find them.

"There may have been some few more of such Instances, which I may not have been particularly informed of; but these are all that have reached my Ears.

"Brethren:

"These are accidents which ought not to affect the peace made between us; It is as grievous to me as to you to hear of these wicked acts, and let them be who they will that have been guilty of these Murders, they shall die themselves, as soon as convicted thereof by a lawful Tryal. With this Belt I collect their Bones, and put them all into one Grave."

A Belt.

"I fill up their graves, & cover their Bodies with these strouds."

Strouds.

"With these Handkerchiefs, I wash off the Blood from your Bodies, & wipe away the Tears from your Eyes."

Handkerchiefs.

"With this Belt I take all Sorrow out of your Hearts, I clear your Throats, Eyes, and Ears, and desire you will no more mourn for them."

A Belt.

Teedyuscung then informed the Governor that he desired to speak a few words to him, and to his Uncles, the Six Nations; whereupon the Governor desired him to begin, and he spoke as follows:

"Uncles:

"I beg you will hearken to what I am going to say. You may remember some Years ago, at our Council Fire, you took me by the Hairs of my head, and shook me, and told me to go and live at Wyomink, for you gave me the Land there, where I might raise my bread & get my living; now again you desire me to move off from thence, and would place me somewhere else. The reason why I complied with your first request was, because I thought you would give me the Lands at Wyomink in the room of some of our Lands you had sold the English; I assure you now, that if I move from thence, some English will come and settle there in the midst of our Road, so that we cannot pass from thence to this Province, and we shall lose the Land, so that neither you nor me will have any benefit from it."

Addressing himself to the Governor, he said:

"Brother:

"I am really very glad to hear you say the wound is healed up; we are all pleased at it; since this is the case, we expect you will pay us for the Lands we have been complaining about. It was left to King George. You told me as soon as ever you heard from the King, you would let me know of it, but I have not heard you say any thing about it since. Now, Brother, as there are some here present who have never been paid for some of their Lands, we desire you would pay them now; but as for the Munsies, & some others at Allegheny, who also claim Lands near this place, they will agree with you when they see you."

The Governor replied, that he would take into Consideration what he had said, & would answer him in the Morning.

Being asked what Lands he desired to be paid for, he answered, that the Lands are where we now stand, betwixt the Mountains & Tohicon Creek, but acknowledged that some Lands about Durham, four miles square, were paid for.

Tokahaio then stood up and spoke.

"Brother Onas:

"We, the seven Nations, especially the Nanticokes & Conoys, speak to you. About seven Years ago we went down to Maryland, with a Belt of Wampum, to fetch our Flesh and Blood, which we shewed to some Englishmen there, who told us they did not understand Belts, but if we had brought any order in writing from the Governor of Pennsylvania, they would let our Flesh and Blood then come away with us; but as this was not done, they would not let them come; Now, we desire you would give us an order for that purpose."

A White String of 5 Rows.

"Brother Onas:

"We would have you make some satisfaction to our Cousins here, the Delawares, for their Lands, as we suppose they desire it. Some of them are now present, who claim some Lands here, and are often thinking of it, particularly one (pointing to Joseph Pepy)."

At a Private Conference, on Wednesday the 12th of August, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Govr, &c., &ca.

Richard Peters, } Esq^{rs}.
Lewis Gordon, }

The Chief of the Onondagoes, Ashenoch, Speaker.

James Sherlock, Interpreter.

"Brother Onas:

"It is a long time since we last met together, & we are now glad to see you. Brother, we request it of you that you would give us a Duplicate of this Deed (shewing a Deed of Release from Richard Peters and Conrad Weiser, Esquires, Proprietary Attornies to them at the last Treaty), because it is the desire of Jenochryada, and in order that the Mohawks may have the original, and we keep the Copy."

A chequered String of three Rows.

To which request the Governor assented, and desired Lewis Gordon, Esqr to prepare an exemplified Copy of the above mentioned release for them.

Jeoquanta then spoke to the Governor.

"Brother Onas:

"My old Mother and Children, who are here at present, are not able to walk; I desire, therefore, that my Brother would help me to a Horse, as I have a great way to go home, and cannot make a Canoe at this time of the Year."

A black belt of Seven Rows.

"Brother Onas:

"I have come a great way, and have brought with me a pack of Beaver; Our Brother, General Johnson, and those who live near him, sell their Goods very dear, & give us nothing for our Skins; but as I have heard our Brother of this Province gave better prices for our Skins, I have brought them here, and hope my Brother will see Justice done me in the Sale of them; And if my Brother thinks I can get a better price for them by carrying them to Philadelphia, I should be obliged to him for his Information."

A chequered String of three Rows.

At a public Conference the same Day.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, &c., &c., as at the former publick Conferences.

The Governor, addressing himself to Teedyuscung, spoke as follows:

"Brother:

"As to the Lands lying between the Kittochtinny Hills and Touhickon Creek, which you say you have never been paid for, you know the Proprietaries of this Province have always insisted that they were fairly purchased of the Delawares before you were born, who received the Consideration Money for them; you know, also, that the Dispute between you and the Proprietaries about these Lands was, by your own particular desire, referred to our Great King over the Water, who, from his Love of Justice and regard to you, has taken upon himself to settle it, and has ordered General Johnson to hear your Complaint, & enquire into the truth of it, and make report to him, that he might direct what is right to be done; of this, General Johnson gave you notice by a Letter, about a Year and an half ago, and desired you to appoint a proper Time and place to meet him on this Occasion, that the affair might be speedily settled. I have waited ever since, in expectation that you would comply with General Johnson's request, & I now inform you that I am, and at all time shall be ready, on my part, to send the Proprietary Commissioners to support their Claim, when ever you shall appoint the time and place of meeting; It is, therefore, your own Fault if the matter is delayed any longer."

Addressing himself to the Seven Nations, he said, Brethren of the Seven United Nations:

"I have considered what you said to me on behalf of the Conoys and Nanticokes, who have some of their Brethren still remaining in the Province of Maryland; As I am not Governor of that Province, I have no power to order the People there to suffer their Relations to come away; I will, however, afford them all the Assistance I can, and will not only give the Messenger they send to Maryland, a passport, or safe Conduct, but will write to the Governor & request him to permit their Brethren to come away without Interruption.

"Brethren:

"You desire me to make Satisfaction to your Cousins, the Delawares, for these Lands which they claim, as they often think of it; had you known, as well as I do, how groundless and Unjust this Claim of theirs was, I am sure you would not have taken any notice of it. Your old men must remember that at a full Council held with the Six Nations at Philadelphia, in the Year 1742, the Claim the Delawares now make for these very Lands, was laid before them, and the Deeds from them to the Proprietaries, perused and

considered by the Six Nations, who, upon a full hearing of the matter then, were convinced that the Proprietaries had fairly purchased them of the Delawares, and paid for them; Whereupon the Six Nations ordered the Delawares to remove off from them, & go to Wyomink, which they accordingly did. Teedyuscung, some time ago, referred his Complaint about these Lands, to our Great King, who has ordered General Johnson to enquire into the whole matter, and let him know how it is circumstanced, that Justice may be done, as well to the Delawares as to us; and I am ready to send my Commissioners to General Johnson, to lay before him the Proprietaries' Deeds for, and right to, these Lands, whenever Teedyuscung will appoint a time and place for this purpose."

Tokahaio addressed the Governor in behalf of the Tuteloes, as follows:

"Brother Onas:

"We desire our Brother will be so good as to furnish us with three Wagons to carry home our sick, who are not able to walk, as we intend to go home as soon as we can;" which request the Governor granted, and left the number of Waggons to be provided for them, to the Direction of Joseph Fox, Esqr.

Tokahaio then added:

"Brother Onas:

"We have been here at this Council Fire, and heard what good words you have spoke to us; We have no more to say at present, & we see likewise that you have nothing more to say to us; we are, therefore, going to part. When we return home, we will acquaint all our people with what we have heard. We heartily thank you for the good usage we have received from you."

The Governor informed them that he had brought up with him a present from the Government to them, which Mr. Fox would distribute amongst them to-morrow; & then concluded the Treaty by shaking hands with the Chiefs of the Indians.

In the afternoon the Governor and his Company set out for Philadelphia.

THE END.

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MEMORANDUM:

Philadelphia, Friday, August 21st 1761.

Teedyuscung and his Interpreter, Isaac Stille, coming to Town before the Governor arrived, they applied to Mr. Fox, and Teedyuscung gave him this String to be delivered to the Governor, with the following Message:

"Brother:

"I give You this String to present to the Governor, to wipe his Eyes, open his Ears, and clear his Throat, that we may speak freely together from our Hearts."

A String of Black and White Wampum of 4 Rows.

Then Teedyuscung took the two belts the Governor had lately given him at Easton by way of condoling with him for the death of Thomas Hickman, and several other Indians that had unfortunately been killed or murdered since the Peace by some of our White People, and delivering them, said:

"Brother:

"These Belts ought to be sent to the Ohio, to King Beaver. I intended to have sent them myself, but cannot get any body to go by whom I may send them. I am poor and you are rich. My Son Amos would go, but he would want a great deal to fit him out." And then delivering a White Belt of Seven rows with three Diamonds, he desired it might be joined to the other two.

He then delivered a White Belt of seven Rows with Three Bars upon red Strings which he said he had from King Beaver, and which he desired might be sent with the others; & that upon producing this last Belt to King Beaver, he would know that the other Belts came from him Teedyuscung, whom he would also know to be easy, and satisfied that the Governor had done all that was in his power on these sorrowful Occasions. J. H.

Taken from Mr. Fox, 23rd August, 7161.

At a Conference with the Indians on Wednesday the 26th August, 1761, at the State House in Philadelphia.

PRESENT:

The Honourable JAMES HAMILTON, Esqr. Lietenant Governor of the Province of Pennsylvania.

Thomas Cadwalader, one of the Council of the Province.

Joseph Fox, John Hughs, } Esq^rs. of the Assembly of the Province,

with several other Gentlemen of the City.

Teedyuscung and five other Delawares.

Last Night and two others of the Conoys.

Robert White & three others of the Nanticokes.

Seneca George of the Senecas.

One of the Cayugas.

Ten of the Wapings.

One of the Onondagoes.

One of the Mohickons.

Isaac Stille, Interpreter.

The Governor having had a visit yesterday from the above Indians they requested that they might be heard to day, and the Governor acquainted them that he was ready to hear any thing they had to say.

Seneca George then stood up and spoke, as follows, (last night interpreting what he said into the Delaware Language):

"Brother:

"Listen to what we are going to say. When we met at Easton we did not fully understand one another, we are therefore come here now, that we may understand each other more clearly. You may remember we told you at Easton, that when you sent Messages to the Six Nations by straggling Indians, they often lost them by the way; to remedy which, we had pitched upon certain persons to convey our Messages safely to one another. Now we desire that you would place Joe Peepy and Isaac Stille at Wyomink, where Teedyuscung lives; that, whenever you would speak with the Six Nations, said Joseph Peepy and Isaac Stille may accompany the Messenger you send and see him safe there; and likewise, when your Brethren the Six Nations would speak with you, they may come to Wyomink with their Messenger, that Joseph Peepy and Isaac Stille may also accompany him safe here. We the rather chose Joseph Peepy and Isaac Stille, because they are not apt to drink strong Liquors and will always conduct the Messengers safe."

Three Strings.

Last Night then spoke.

"Brother:

"I would acquaint You that the Chief of the Mohickons & Opies have settled with the Six Nations, at a place called Chenango, where you may always find them if you should have occasion to speak to them."

Four Strings.

Seneca George then spoke.

"Brother:

"It is many years since I left my Country and settled myself at Susquehanna, where I got my living very well till the French Wars broke out. When that happened I left all my Livelyhood there and came to my Brethren the English. After some time General Johnson sent for me; when I came to him he sent me against the French. I accordingly attended him several times, & fought against the French. Nevertheless, I still remained very poor, and had not for all my trouble so much as a Knife, a Kettle, or any Cloaths. Now I beg the Governor to take pity on me, and perhaps he will furnish me with these necessaries, together also with a dutch ax. As I am settled with the Nanticokes & Conoys at Cheningo, I shall be able to give the Governor an account of any thing that is transacted in the Council of the Six Nations.

"I likewise hope the Governor will look upon my Son, whom I shall Commission to supply my place after my death. You will always find him with Last night, to whose care I shall leave him."

A String.

"Brother:

"Please to listen to what I am going to say. It is now some Years since the French first raised these Mischiefs amongst us. Your Brethren here have been endeavoring to make up the Breaches which the French made in our Friendships; for we have been

striving to keep those Indians sure to your Interest which the French had been tampering with. This has occasioned a great number of Messages and a great Consumption of Wampum. When the French Indians spoke to us, they spoke by pipes and Quills, but we returned answers with Wampum, whereby all our Wampum is expended, so that we have no more left to speak with them again. Now we desire the Governor would give us some Strings of Wampum and put them in our pouch, that we may still be able to carry on this good work."

A White Belt of 7 Rows, three Bars.

"Brother:

"We that are now in your presence all return You thanks. You have kept us alive these two Months by furnishing us with provisions. By this String we express our gratitude for the good usage you have given us."

A String.

Being asked whether or no they had any thing more to say, they replied that they had not. The Governor then informed them, he would take into Consideration what they had now said, & would return them an answer at a nother time, whereof they should have proper notice.

The Governor then told them that he was now going to speak to Teedyuscung and the Delawares, & that he desired all the Indians present to attend to what he was about to say, as it might likewise concern them. Whereupon, addressing himself to Teedyuscung, he spoke as follows, vizt:

"Brother Teedyuscung:

"I give you this String to wipe your Eyes, open your Ears, and clean your Throats, that you may listen attentively to what I am going to say to you."

A String.

"I am very much grieved at the frequent occasions I have had, since the making of the peace betwixt us, to condole with you on the unfortunate death of your Country men by wicked or unlucky accidents.

"I received Yesterday an account from Easton, that about a Week ago, an Indian Man, one of your Nation, whose name I do not know, was killed by a white man, one of our people. This man, who does not deny the Fact, says in justification of himself, that what he did, was in defence of his Wife and Children, whom the Indian was about to murder with this scalping knife, after coming several times to his House in the night time, disturbing him & using him very ill.

"Brother:

"If this were certainly true, I believe you yourselves would be of opinion that the White man was not to blame; since no man is obliged to sit still and see his Wife and Children murdered before

his Face, without striving to prevent it, even by killing the person who attempts it.

"But as the English Laws are deservedly very strict in matters of bloodshed, and do not allow for truth every thing that a Criminal says in his own defence, I have directed that this man shall be taken up and put into prison, in order that the matter may be more particularly enquired into. After which, he shall be fairly tryed in the King's Courts, as if he had spilt the Blood of a white man; and if he be found guilty of having committed this murder maliciously, or otherwise than in his own defence, or that of his Wife and Children, he shall suffer the same punishment as if he had killed one of us, Which punishment, by our Laws, is Death; and I further promise you, that, if you desire it, I will send you notice of the time & place where he shall be tryed, that some of your wise men may attend, and be satisfied that the Indians are fairly dealt with, and have Justice done them in the Tryal."

A Belt.

"Brother:

"You may remember I lately put you in mind, at Easton, that there are many wicked people in the world, as well among the English as among the Indians, and that as long as it should continue to be so, private mischiefs, and even murders, would now and then be committed; and that whenever this should happen, we should do well to let one another know it, and join in taking proper measures to detect and punish the Evil doers, to which you assented with great satisfaction; I, therefore, now acquaint You, Brothers, that I am pursuing the Rule then agreed upon betwixt us, by first acquainting you with the accident, and in the next place endeavouring to punish the Evil Doer, in case he shall be found deserving of it."

A Belt.

"Brother:

"This accident neither ought, nor I hope, will have any effect to disturb the peace made betwixt us; Accidents of this kind are full as grievous to me as to you; and as I have the greatest desire to live in strict Amity and friendship with you, You may be assured of having the same Justice administered to you, on all occasions, as is done to our own people. More than which, I am persuaded you neither expect or desire."

A Belt.

At a Conference held at the Governor's House on Thursday the 27th August, P. M.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &ca.

Richard Peters, Esqr

Joseph Fox, Esqr One of the provincial Commissioners.

The same Indians as on Yesterday.

The Governor addressing himself to Seneca George spoke as follows:

"Brother:

"I have considered the several things you mentioned to me Yesterday, & am now going to return You an answer thereto.

"Brother:

"You propose to me that in order to prevent the Miscarriage of any Messages we may have occasion to send to one another, they should be sent by way of Wyomink, and the Messengers conducted by some persons living in that town to the place where their Business lies, and for that purpose you desire me to place Jo peepy and Isaac Stille there, whom you say you have pitched upon as being sober & discreet persons. Brother, I have not the least objection in the world to these two persons living at Wyomink, nor to your employing them in any Character you think proper, and whenever they or any other Indians come to me charged with any Business from you, I shall give them a kind reception, but I cannot think it expedient that this Government should either be confined to send their Messengers by way of Wyomink or by any particular persons whatsoever. You may be assured I shall always take care to send the best men I can get on the publick business, or to have them safely conducted to the place where the business lies, and as I must be left to my own liberty on these Occasions, I shall leave you likewise to act as you please."

A String.

"Brother (Last Night):

"I am pleased with the Mchickons & Opies settling along with You, the six Nations, at Chenango; there I should send to them whenever I have any Business to transmit with them."

A string.

"Brother (speaking to Seneca George):

"I am sorry to hear you are left in such indigent Circumstances. You have always been considered as an hearty Friend to the English, & therefore, as a Testimony of their regard for you, I have ordered you the things you are in want of.

"Brother:

"The Chiefs who live at Chenango will always have occasion for Wampum, on account of the Messages they may want to send or

that may be sent to them; & as you tell me that your wampum is entirely expended, I have provided some for you. There is no White Wampum in Town, or you should have had some. The Black, however, is more Valuable, and may always be readily exchanged for White, if you should light of any in the places thro' which you shall pass.

"Brethren of all the Tribes now present:

"We are glad to hear you express yourselves in such a thankful manner for the kind treatment you have received of us since you came. We give you this Belt to assure you that we bear you a sincere affection; & whilst you behave yourself well, we shall, on all proper occasions, never fail to give you testimonies of our regard."

A Belt.

After the Governor had done speaking there was a short Consultation among the Chiefs of the Indians, After which the Conoy Chief, Last Night, spoke as follows, with a Belt in his hand:

"Brother:

"Please to hear what we, the Senecas, Cayugas, Nanticokes, Conoys, Mohickons, Delawares, & Opies, have to say to you.

"Brother:

"We had a Council at Easton a few days ago, after you left us, where several things were talked of that were not settled in the public Council. One point in particular related to the Lands at Wyomink. We desire a Deed may be drawn for those Lands to Jo Peepy and Isaac Stille, not for themselves, but for the Delawares, that they may take it and get it signed by the Six Nations; for we are afraid these Lands may be taken from us by the New England people, lately come to Cushietunk."

The Governor desired Isaac Stille, the Interpreter, to ask them to speak this over again, for he did not understand what sort of a Deed they wanted; which Isaac Stille did, and they said a Deed to be signed by the Six Nations; but it was to be made to Jo Peepy & Isaac Stille, who were to keep it for the other Indians, & they desired the Governor would get such a Deed drawn for the Delawares, for Jo Peepy and Isaac Stille to get signed, & to keep for them.

The Governor desired the Interpreter to acquaint them that these Lands belonged to the Six Nations, who might sell or give them to the Indians, as they pleased, and he should be well satisfied with whatever disposition they should think proper to make of these Lands, to the Indians; They could not, indeed, sell them to any other White people than to the proprietors, the Six Nations having entered into Covenants not to sell Lands within the Province, to any other Persons.

He desired them to be informed that these Lands were not purchased from the Six Nations, & that therefore he could not meddle with them at all, nor Draw any Deed about them, because the six

Nations might take offence at it, & he might thereby draw on him their Resentment, which he would not do, & therefore would draw no Deed, nor meddle at all with those Lands.

It was not the practice of the Six Nations to make Deeds for Lands to Indians, and the Six Nations positively told Teedyuscung in open Council, that they would not make him a Deed for those Lands.

At the instance of the Nanticokes, the Governor wrote a Letter to Governor Sharpe, recommending Robert White to him and his assistance in his Business, and delivered it to him, with a Passport for the 4 following Indians, vizt: Jacob Yockum, Dewaatyhunck (an Onondago), & young Robert White.

Isaac Stille, being asked by the Governor if he remembered what Teedyuscung said to him about the Lands in the Forks, answered that he did, very well, & then, being asked what it was, he said Teedyuscung declared he did himself not know anything of the Proprietors having cheated the Indians of their Land. That when the French & English broke out into War, the French put into the heads of their foolish Young men, that the English had cheated them of their Lands, & at the Treaty held with Governor Morris, at Easton, the foolish Young men obliged him to mention it, but for his part he knew nothing of it; he had found that it has pricked his Brother's Heart, & was sorry for it, but he must not be angry with him, but the French, who were the cause of it.

After which Jo Peepy stood up and said:

"Brother:

"I am very sorry that they have scandalized Thomas Penn, the Proprietor, in saying that he had cheated the Indians of that Land. Tho' I have a part in them, I never said anything at all about the Land since the mischief began. I am sensible that neither my relations nor I ever received satisfaction for the little piece that I claim as my share of those Lands. My Aunt, who is an old Woman, and knows all about the matter, is now alive & would be glad if the Governor would take pity on her, and make her some Satisfaction for her piece of Land, would be very glad. She knows the Land is dear, nobody desires to have that settled more than she, & whenever the People who own the Land will come and speak to the Governor about it, she will be glad to settle the matter in a friendly way. It is very possible, next Spring or next Year, if not this fall, we may have a Treaty with all the Delaware Indians, & we will endeavour to accommodate matters in the best manner we can."

He said, further, he should be glad if the Governor would give him something now till then; he is got into debt & wanted money to pay his debts.

9th September, 1761.

MEMORANDUM.

The Assembly being to meet on the 7th Instant, but not making a Quorum till to-day, the Governor laid before them a Copy of the late Indian Treaty, with the following Message:

A Message from the Governor to the Assembly.

"Gentlemen:

"Since your adjournment I received, very unexpectedly, a Message from the Chiefs of a considerable number of Indians, living to the Northward, & upon the Head Branches of the River Susquehanna, consisting of Six Nations, Delawares, Nanticokes, &ca., in which Message they acquainted me, that in consequence of an Invitation from this Government they had proceeded as far as Wyomink, in their way to Easton, where the Council Fire had of late been kindled, and where they desired that I would give them a meeting.

"Being conscious that no such invitation had been given them by me, & forseeing how great an Expence the proposed Interview would necessarily bring upon the Province, I was uneasy and uncertain what to do upon the Occasion.

"But on considering the ticklish situation of our affairs with those People, together with an Information I had just before received, that a Dissatisfaction was prevailing among them on account of some supposed neglect or ill Treatment from the English, I thought it might be for the Public Service forthwith to attend them, and to use my best endeavours to efface any impressions of that Sort, before they should have taken too deep root in their minds to be easily removed, and accordingly, by the advice of the Council, & some of the Gentlemen of your House, I did repair to Easton the beginning of the last Month, where sundry Conferences (I hope to good effect) were held between me & those Indians, the substance whereof is contained in the Treaty I have ordered to be now laid before you.

"The Gentlemen who on the part of the Provincial Commissioners attended & defrayed the Expences of the Treaty, will lay the accounts before you; and altho' the Charges that have arisen thereupon cannot but appear to be extremely high, yet when you call to mind of how great importance it is to remove all Misunderstandings, & even Jealousies, from the minds of those people, and to conciliate, as much as possible, their Friendship & Affection to the English Nation, I cannot entertain the least doubt but you will approve of what hath been done on the present occasion, notwithstanding that it does not appear that they had any particular business of Consequence to transact with the Government which necessarily called upon them to come down at that time.

"JAMES HAMILTON.

"September 8th, 1761."

The Governor laid before the House Letters from Mr. Horsefield inclosing Intelligence of several Discourses that had passed lately among the Indians, which shewed much uneasiness and disaffection to the English, supported by Affidavits.

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16th September, 1761.

Information having been repeatedly given the Governor that the New England Tresspasers refused to remove, & that others were intending to join them, he thought proper to issue the following Proclamation:

"*By the Honourable JAMES HAMILTON, Esquire, Lieutenant Governor and Commander-in-Chief of the Province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, upon Delaware,*

"A PROCLAMATION.

"*Pennsylvania, ss.:*

"WHEREAS, divers persons, the natural born Subjects of his Majesty, belonging to some of our neighbouring Colonies, have lately come into this Province, & without any Licence or Grant from the Honourable proprietaries, or Authority from the Government, have presumed in a Body to possess themselves of & settle upon a large Tract of Land in this province not yet purchased from the Indians, near Cushietunck, on the River Delaware, and in the Upper parts of Northampton County, and are endeavouring to persuade & inveigle many of the Inhabitants of this and the neighbouring Provinces to confederate and join with them in their illegal and dangerous designs; and to assist in settling and holding the said Lands by strong hand. *And whereas,* The Delaware Chief, Teedyuscung, hath made a very earnest & formal Complaint and Remonstrance to me against the said practices, insisting that the Intruders should be immediately removed by the Government to which they belonged or by me; and declared if this was not done, the Indians would come and remove them by force, and do themselves Justice; with which he desired they might be made acquainted before hand, that they might not pretend Ignorance; which has been since accordingly done by my Order. *And whereas,* since the making of the abovementioned complaint by Teedyuscung, the Chiefs of the Six Nation Indians, who were present at the Treaty held at Easton in the month of August last, did, in the most earnest manner, renew the said Complaint & remonstrance, and insist that this Government should afford them its aid in obliging the said Intruders to remove; affirming, 'That the said Lands had never yet been sold, or were intended to be sold by them, to any person or persons, whatsoever, notwithstanding what the said Intruders have said, or may continue

to say to the contrary; and that if any Indian or Indians had taken upon them to sell or dispose of the said Lands, they had done it unknown to the Six Nations, and had stolen them, with a View to fill their pockets with the Money.' *Wherefore*, as well to assert the just Rights of the Proprietaries of this Province to the said Lands, & to preserve the peace and Friendship which is now so happily restored & subsisting between us and the Indians, & to prevent the terrible Consequences that must necessarily arise by their carrying into Execution their Threats of removing by Force, the Intruders on the said Lands, as also, to warn & prevent any of the Inhabitants of this Province from being unwarily drawn in to join the said Intruders, in their intended design of making Settlements in the said Indian Country, I have judged it proper, by and with ye advice of ye Council to issue this, my second Proclamation, hereby strictly requiring & enjoining in his Majesty's Name, all and every person and persons already settled, or residing on the said Lands, immediately to depart & move away from the same; And do hereby forbid all his Majestie's Subjects of this or any other Province, or Colony, on any pretence whatsoever, to intrude upon, settle, or possess any of the said Lands, or any other, the Lands within the Limits of this Province, not yet purchased of the Indians, as they will answer the contrary at their peril, and on pain of being prosecuted with the utmost Rigour of the Law; And I do hereby, also, strictly charge, enjoin, and require all Sheriffs, Magistrates, Peace Officers, and all other, his Majesty's Liege People within this Province, to exert themselves, and use their utmost endeavours to prosecute, and bring to Justice and condign punishment, all offenders in the Premises.

"Given under my hand, & the Great Seal of the said Province, at Philadelphia, the sixteenth day of September, in the year of our Lord, one thousand seven hundred & sixty-one, and in the first Year of the Reign of our Sovereign Lord, George the third, by the Grace of God, of Great Britain, France, & Ireland, King, Defender of the Faith, &c^a^.

"JAMES HAMILTON.

"By His Honour's Command,
"RICHARD PETERS, Secretary.

"GOD SAVE THE KING."

At a Council held at Philadelphia, on Tuesday the 22nd Septr. 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &c^a.

Joseph Turner, Richard Peters, } Esq^rs.
Thomas Cadwallader, Benjamin Chew, }

The two following Bills having been presented to the Governor for his Concurrence, were read and considered, namely, a Bill entitled "An act to enable the Owners and Possessors of Shuylkill point Meadow Land, in the County of Philadelphia, to keep the Banks, Dams, Sluices, and Flood-gates in repair, & to raise a Fund to defray the Expence thereof." A Bill entituled "An Act for appointing certain persons to apply for, and receive the distributive Shares & Proportions which are or shall be allotted to this Province, out of the sum or sums of Money granted, or to be granted by Parliament to his Majestie's Colonies in America." To the first Bill there was no objection, & it was returned to the House with a Verbal Message, that the Governor would be ready to pass it when presented to him for that purpose. As to the second Bill, the Governor was advised to pass it, but before he signified his assent to the House, it appeared to them that the Governor should inform himself whether the Trustees of the Loan Office had drawn for that Parliamentary Grant which was allotted to this Province for the Year 1758, amounting to the sum of £26,902 8 0 Sterling, whereupon the Governor sent to the House the following Verbal Message by the Secretary:

"The Governor has now under consideration the Bill for appointing certain persons to apply for and receive the distributive Shares & Proportions which are or shall be allotted to this Province out of the sum or Sums of Money granted or to be granted by Parliament to his Majestie's Colonies in America; but before he returns the same, or gives an answer thereto, he desires the House will inform him whether the Trustees of the Loan Office have drawn for the sum of Twenty-six Thousand nine hundred and two Pounds eight Shillings Sterling, the part of the Parliamentary Grant allotted to this province for the year 1758, which, by an Act passed in the thirty-third Year of his late Majesty, was expressly directed to be drawn for by them, & applied in Abatement of the publick Taxes, & which he understands has already been received by Mr. Franklin."

The Secretary likewise was ordered to demand a List of the Certificates & Draughts already drawn, or to be drawn, by the House for the Service of the Current Year.

On the 23rd of September, a Message was delivered from the House to the Governor, acquainting him that the House had, previous to his Verbal Message of Yesterday, entered into a Resolve

and given orders to the Trustees of the Loan Office for the said sum of Money in the hands of Mr. Franklin, and they delivered to the Governor a Copy thereof for his Satisfaction.

At a Council held at Philadelphia, on Thursday the 24th Septem^{r}, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor, &ca.

Joseph Turner, Richard Peters, } Esquires.
Benjamin Chew,

A Bill entituled "An Act for the relief of William Griffitts," was read and amended, and sent to the House with a Message that Governor would pass the Bill provided they agreed to the Amendments.

Mr. Chew, the Attorney General of this Province, acquainted the Governor that he had executed the said Office for upwards of Seven Years past, that the legal Fees arising from it were in no sort adequate to the time & Trouble required in executing the Duties thereof, & were in many prosecutions never received, the Criminals being, thro' their extream Indigence, unable to pay the same; and the Governor, in justice to him, sent the following Message to the House, recommending it to them to make him an allowance for his past Services as they think he deserves, or as hath been usually given:

A Message from the Governor to the Assembly.

"Gentlemen:

"I am well informed that the legal Fees arising to the Attorney General of this Province, upon Criminal prosecutions, would by no means be a Compensation for the great paines & Trouble attending the execution of that Office, if the Offenders were all of ability to pay them.

"But when it is considered that the unhappy people, who, by their Crimes, subject themselves to such prosecution, are, in general, the most indigent of Mankind, & consequently unable to pay, you must be convinced that the perquisites of that important Office are inconsiderable, and very inadequate to the Service; and of this former Assemblies have been so sensible, that they have frequent given Salaries Annually to the Attorney General, as will appear by the Minutes of your House.

"The present Attorney General, Mr. Chew, hath held that Office for the last seven Years, during all which time he Hath not received any reward from the publick, tho' I have great reason to believe that he hath discharged his Duty with the utmost care & Fidelity, both to the Crown & to the publick.

"In Justice, therefore to him, I think myself obliged to lay his case before you, & earnestly to recommend it to You to make him such an allowance for his past services as you think they deserve, or as hath been usual on the like occasion.

"JAMES HAMILTON.

"September 24th, 1761."

At a Council held at Philadelphia, on Saturday, the 26th Septem^r, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor, &ca.

Richard Peters, Esquire.

The House acquainted the Governor that the Amendments made by him to the Bill for the relief of William Griffitts were agreed to, which, with the Bills assented to, were engrossed; whereupon Mr. Peters compared them with the Originals, and having reported to the Governor that they agreed, his Honour sent a Message to the House, requiring the attendance of Mr. Speaker & the House in the Council Chamber immediately, & they accordingly waiting on the Governor & presenting the three following Bills, entituled "An Act to enable the owners and possessors of Schuylkill point Meadow Land, in the County of Philadelphia, to keep the Banks, Dams, Sluices, & Floodgates in repair, and to raise a Fund to defray the Expences thereof;" "An Act for appointing certain persons herein afternamed, to apply for and receive the distributive Shares and proportions which are or shall be allotted to this Province out of the sum and Sums of Money granted, or to be granted, by Parliament to his Majesty's Colonies in America;" And "An Act for the relief of William Griffitts, with respect to the Imprisonment of his person." The Governor enacted the same into Laws, and received a Certificate for £1000, for which he returned the House thanks.

At a Conference with Teedyuscung, & the Chiefs of the Opies and Mohickons, at Bush-Hill, the 1st October, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor, &ca.

Teedyuscung.

Nimeham, Chief of the Opies.

Good Tomach, one of the Chiefs of the Mohickons.

Isaac Stille, Interpreter.

Teedyuscung spoke:

"Brother:

"You know it was agreed between our Grand Fathers long ago, that we should have but one Eye and one Ear, & that we should make use of these for our Mutual Benefit. Now, therefore, according to this rule, I will not stop your Ears or blind your Eyes, or withhold any thing from you that I have heard relating to you."

A String of 4 Rows.

"Brother:

"I now acquaint You that these Chiefs of the Mohickons & Opies are come to settle at Wyomink, and I have taken them by the hand, and put a Pipe into their hands, with some good Tobacco, which smokes sweetly, like the Sun, which gives life and pleasure to all things; And I desire you will also take them by the hand & bid them welcome, as they have heard of the good reception & kindness shewn to the Indians by this Government; they are willing to live at Wyomink; I have told them not to mind any disturbances which have happened of late, for it often happens when Children play together, they fall out & quarrel; but that ought not to break our Friendship."

A Belt of 6 Rows.

"Brother:

"You may remember I told you at Easton, that I and my young Men shall not mind a few drops of Blood, but were resolved to keep the peace entered into by us. We four Nations of Delawares, Ounananies, Mohickons, & Opies, have agreed to this as far as Wickalousen, & also the Indians to the Westward, as far as the Sun setting; But we have nothing to do beyond Wickalousin, to the Northward. We four Nations already mentioned, have tryed to persuade the Senecas & Minisinks to the same thing, but they would not hearken to us. Now if you would send a Message to them perhaps they would be persuaded to listen to it."

A String of 4 Rows.

"Brother:

"Listen to me. At the first of our Treaties of Peace of late, You told us that you were strong, & that we were weak, and, therefore I desire you will be strong and have Compassion, and Pity our Young men, Women, and Children. You were chosen to be Governor for that purpose, and you may be assured that we four Nations, altho' we are weak, will strictly observe the Peace made betwixt us."

A Belt of 9 Rows.

Nuntian the Chief of the Opies spoke:

"Brother:

"I am to join with you, and will place myself at Wyomink with Teedyuscung, & will always agree to what you and he shall agree upon; I am Chief of the Opies, and have a Commission for it, and if any other Indian pretends to be Chief, you must not regard it, for they have no Commission for it." Producing a Certificate from

Governor Clinton of the Government's attachment and Behaviour of that Nation to the English in 1745. Producing also another of the same kind from Sir Charles Hardy in 1756, written in parchment.

A Belt of 7 Rows.

He also produced a large Peace Belt of 16 Rows with G G and the figures 1745 Woven into it.

At a Conference held at Bush-Hill, October 11th, 1761.

PRESENT:

His Honour the Governor, Joseph Fox, Esquire.

The same Indians as on the 1st October, Instant.

The Governor addressing himself to Teedyuscung, said:

"Brother:

"On your Speech the other day, you told me it was agreed between our Grandfathers, that we should have but one Eye and one Ear, & that we should make use of these for the good of one another. I acknowledge this to have been a wise agreement, and tending to the advantage both of you and us, and as I intend to comply with it on all occasions, so I am glad to find that you remember it and conform yourselves to it by hiding nothing from me that you have heard relating to me."

A String.

"Brother:

"You tell me that the Chiefs of the Opies and Mohickons, with many of their Nations, hearing of the kindness of this Government to all the Indians, are desirous to come and settle with you at Wyomink, where you have taken them by the Hand and bid them welcome, & put a pipe into their Mouths with some good Tobacco that smokes sweetly like the Sun."

"Brother:

"I have heard a good Character of the Opies & Mohickons, and am therefore well pleased at their coming to settle with you at Wyomink, and I do take them by the hand and bid them welcome as you desire and promise them they shall have the same kindness from this Government that it extends to all the Indians who behave well. You did well to tell them not to mind any disturbances that have happened of late. Accidents of that sort will often happen while there are wicked people in the World. And therefore when they do happen, the best thing we can do is to acquaint one another of it, & endeavor to make it up immediately without going to War to revenge it; for if this were the case we should never be long together in peace."

A Belt.

"Brother:

"I remember you told me at Easton, that you and your Young Men would not mind a few drops of Blood, but were resolved to

keep the Peace made between us. You now tell me You have cleared yourselves as far as Wickalousing, but that you have nothing to do to the Northward, & that you have tryed to persuade the Senecas and Munsies to the same thing, but they would not hearken to you and advise me to send a Message to them.

"Brother:

"I acknowledge you have cleared yourselves as far as Wickalousing, for which I heartily thank You, as also for trying to persuade the Senecas and Munsies to the same thing; And I am now sending a Message to the Munsies, according to your advice, which I am in hopes they will listen to, & that it will have the desired effect."

A Belt.

"Brother:

"You may remember it is but a little while ago since you had a large present made you at Easton, which cost us a great deal of Money. Nevertheless, in compassion to your Circumstances, we intend to make you a small present, which will be delivered to you by Mr. Fox."

A String.

"Brother Nunetiam:

"You tell me that you are come to join yourself to Teedyuscung, and place yourself with him at Wyomink, and will agree to all that he and I shall agree upon. I am glad to hear you say so, and that you will settle at Wyomink. I therefore take you by the hand and bid you heartily welcome, and you may be assured of being always used with kindness by this Government while you behave well. Having seen your Certificate from the Governor of New York, I acknowledge you to be the Chief of the Opies; and if anybody also pretends to that Title I shall not believe them. I once more bid you welcome, and as you are come so far to see us and offer us your Friendship, we shall give you likewise a small present, which will be delivered you by Mr. Fox."

A Belt.

At a Council held at Philadelphia, on Thursday, the 15th October, 1761.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor, &^{ca}.

Richard Peters, } Esq^{rs}.
Thomas Cadwalader, }

The House having met Yesterday according to Charter, sent a Message by Six Members to acquaint the Governor that they had met & proceeded to chuse a Speaker, and desired to know when the House might wait upon his Honour in order to present him. And

the Governor having acquainted them that he would be in the Council Chamber about this time, the Secretary was sent with a Message requiring the attendance of the Speaker wth. the House.

Accordingly the House, with Isaac Norris, Esqr. at the head, came and presented him as their Speaker; and after having received the Governor's approbation, he made a Speech, claiming the usual Privileges and Indulgencies, which were readily granted on the part of the Governor.

[Blank of ten and a-half pages in Council Book.]

2d January, 1762.

MEMORANDUM.

This day the Governor executed a Commission appointing Mr. Joseph Shippen, Junior, Secretary and Clerk of the Council, for the Province of Pennsylvania and Lower Counties of Newcastle, Kent, and Sussex on Delaware, in the place of Mr. Richard Peters, who on account of Indisposition had requested the Governor to excuse his further service, and accept of his resignation.

At a Council held at Philadelphia on Saturday the 16th day of January, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &ca.

Joseph Turner,
Richard Peters,
Benjamin Chew, } Esquires.

The Governor laid before the Board a Message he had received the 13th Instant, from the Assembly, informing him that several Wicked and evil disposed Persons had of late made a practice of wantonly attacking, & grievously wounding, without the least provocation, several Women in the City of Philadelphia, greatly to the Terror of the inhabitants, and that the House requested him, if he thought necessary, to offer a reward of Fifty pounds for apprehending & bringing the offenders to Justice. The Board taking the same into Consideration advised the Governor to issue his Proclamation agreeable to the said Request.

And the following Proclamation was agreed on, & ordered to be forthwith Published:

"*By the Honourable JAMES HAMILTON, Esquire, Lieutenant-Governor, and Commander-in-Chief of the Province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, on Delaware:*

"A PROCLAMATION.

"WHEREAS, Information hath been made to me, That on the Thirty-first day of December last, in the Evening, and at sundry other Times, divers Women, Inhabitants of the city of Philadelphia, while peaceably walking the Streets, about their lawful Business & Occasions, have been violently set upon, assaulted, and grievously stabbed, and wounded, and otherwise treated with the most shocking Indecency, by several wicked & evil disposed Persons, some of whom are hither undiscovered, to the disturbance of the Peace of the said City, and to the great Terror of the Inhabitants.

"To the End Therefore, That the authors, Perpetrators, and accomplices of the Outrages, and inhuman Proceedings aforesaid, or any of them, may be brought to Condign Punishment, as an example to others, who may be tempted to offend in the like kind; I have thought fit, with the advice of the Council, to issue this Proclamation, hereby offering a Reward of Fifty Pounds to any person or persons, who shall make known, & cause to be apprehended, all or either of the offenders (not yet discovered) who were concerned as Authors, Perpetrators, or Accomplices, in assaulting and wounding the aforesaid Women, or either of them, so that he or they shall be convicted thereof, according to the due Course of Law; and I do hereby strictly charge & command the Magistrates, Sheriffs, and other Officers of Justice within the said City, to use their utmost diligence in detecting & punishing, in the most exemplary manner, all such as shall be found guilty of having been concerned in, or accessary to, the Outrages & Enormities aforesaid; and in the mean time to attend diligently to the preservation of the publick peace.

"Given under my hand, & the Great Seal of the said Province, at Philadelphia, the Sixteenth day of January, in the Year of our Lord, one thousand seven hundred & Sixty-two, and in the Second Year of his Majestie's Reign.

"By His Honour's Command.

"JAMES HAMILTON.

"JOSEPH SHIPPEN, jun^r., Secretary.

"GOD SAVE THE KING."

At a Council held at Philadelphia, on Wednesday the 27th day of January, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutentant Governor.

Joseph Turner, Richard Peters, } Esquires.
Benjamin Chew, }

A Bill entituled "An Act to regulate the Courts of Justice of this Province, to limit the continuance of Actions, to ascertain the manner of taking the depositions of aged & infirm Witnesses, and persons about to leave the Province, and to compel the better attendance of Jurors on the several Courts within this Province," having been presented to the Governor by the Assembly for his Concurrence, was read & considered, And the Council adjourned 'till the afternoon.

P. M. Present as before.

The above Bill was further considered, & the following Amendments were made thereto, and sent with the Bill to the Assembly, by the Secretary.

—

"Amendments to the Title of the Bill entituled "An Act to regulate the Courts of Justice of this Province, &c."

"Line 1. After the word [the] insert the Words [Times of holding the].

"Line 2, 3, 4. Dele the Words [to limit the continuance of actions].

"Amendments to the Bill entituled "An Act to regulate the Courts of Justice, &c."

"Dele from the word [Whereas] in the Antepenult Line of the first page, to the word [and] inclusive in the Penult Line of page 10.

"Page 11, Line 2. Dele the word [Transaction] instead thereof, insert the word [transacting].

"Page 11, Line 4. Dele the words [authority aforesaid], and instead thereof, insert as follows, vizt: [Honourable James Hamilton, Esquire, Lieutenant Governor, under the Honourable Thomas Penn and Richard Penn, Esquires, true & absolute Proprietaries of the Province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, upon Delaware, by and with the advice and Consent of the Representatives of the Freemen of the said Province in General Assembly met, and by the authority of the same].

"Dele from the word [and] in the 10th Line of Page 13, to the word [Execution] inclusive, in the 10th Line of Page 19.

Page 20. Dele from the word [the] in the fifth Line, to the Word [Witnesses] inclusive, in the 8th line, & instead thereof insert as follows, Viz^{t}: [in all Cases, where any Sea faring persons, or others about to depart from this Province, or any ancient or infirm persons shall or may be material Witnesses in any Action now depending, or which hereafter may be brought and depending in any of the Courts of Civil Judicature in this Province, the Depositions of all and every such Witness or Witnesses].

Same page, Line 10. After the word [Province] add [where such Action is or may be depending].

Same page, Line 13. After the word [aforesaid] add [on the Tryal of the said Cause].

At a Council held at Philadelphia, on Monday, the 8th day of February, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Benjamin Shoemaker, Richard Peters, } Esquires.
Benjamin Chew, }

A Bill entituled "An Act for recording Warrants and Surveys, & for rendering the Real Estates and Properties within this Province, more secure,' was read and taken into Consideration, & it appearing to be formed on the same Plan with the one lately repealed by his Majesty in Council, to contain several matters injurious to the Rights of the Proprietors of this Province, and to be uncapable of Amendment, it was returned to the House with the following Message:

A Message from the Governor to the Assembly.

"Gentlemen:

"I have carefully considered the Bill sent up for my Concurrence, intituled 'An Act for recording Warrants and Surveys,' &c^{a}, and heartily wish the Provisions contained in it had been such that I could freely have given my assent to it; but instead thereof, I am sorry to find that the present Bill is formed on the same plan, and liable to the most material part of the same Objections for which your late law respecting these Offices, was, after a full hearing, repealed by his Majesty in Council.

"I have endeavoured, as much as in me lay, to amend it, so as to make it conformable to what I conceive just and reasonable upon this Subject, but have found, upon Trial, that the necessary Alte-

rations and Amendments would be so numerous and perplexing, that a new Bill, I hope, agreeable to both our sentiments, might, with less difficulty, be framed, to answer all the good purposes intended by the Law now before me.

"I am commanded, Gentlemen, by the Proprietaries, to declare that it is their desire to render the people as secure in their Landed properties as possible, without injuring their ancient Officers, or giving up their right of appointing new ones; and I can, for myself, with great Truth assure you, that I sincerely entertain the same Sentiments, as an Earnest whereof, I will not scruple to acknowledge that the several Offices, where the only Evidences of the Original Rights of the Freeholders in this Province, have heretofore been deposited and kept, have long appeared to me to stand in need of some Regulations.

"I have ever been of opinion that a Law for erecting the Offices of Proprietary, Secretary, and Surveyor General, into publick Offices, and requiring the persons appointed from time to time to fill them, to give sufficient security to the King or to the Proprietaries, as should be thought most expedient, in trust, nevertheless, for the people; and moreover, to oblige them to take an Oath or Affirmation for the faithful and impartial discharge of their duty, would be extreamly proper & of great publick Utility.

"It seems also an object, no less worthy the attention of the Legislature, that proper precautions should be taken to guard against the Mischiefs & Confusions that would necessarily ensue to the people, in case the Records and papers lodged in these Offices should be destroyed by Fire or any other accident.

"I cannot, therefore, but highly approve of the proposal of taking Duplicates and fair Copies of such Records and Papers, and confirming such as have heretofore been taken, after they have been carefully compared & examined, to be preserved in some place of safety, to be made use of as Evidence on the loss of the originals or any of them, but not otherwise, reserving the appointment of the Officer who may have the Custody of them, under the like Oath & Security as above mentioned, to the Governor, which is a Branch of the Royal Prerogative that I ought not, and therefore cannot give up.

"A Bill formed on these general Principles, I would at any time chearfully give my assent to, after which, I may be bold to say, that the landed Estates of the people of this Province would be as substantially and effectually secured as they are in any part of the King's Dominions, or as in Reason & Justice could be desired.

"But, as to the Bill now before me, I cannot assent to it as it stands, & therefore return it to the House.

"JAMES HAMILTON.

"February 8th, 1762."

A Bill entituled "An Act for opening and better amending & keeping in repair the publick Roads and Highways within this Province," was read, considered, & agreed to, and returned to the House with a Message acquainting them with the Governor's assent thereto.

Then was also read a Bill entituled "An Act for vesting the State House and other publick Buildings with the Lotts of Ground whereon the same are erected, together with other Lotts situate in the City of Philadelphia in Trustees, for the uses therein particularly mentioned," & several Amendments were made thereto, which, with the Bill, were returned to the House.

A Bill entituled "An Act for the Recovery of the Duties of Tonnage upon Ships and Vessels, & certain duties upon Wine, Rum, Brandy, & other Spirits, and upon Sugar, which became due by virtue of a Law of this Province lately expired, & which were not received during the continuance thereof, and for appropriating the Surplus of the said Duties," was read and returned to the House with one Amendment.

A Petition from the Inhabitants of Lancaster, York and Cumberland, praying that a Road might be opened and laid out from the Town of Lancaster, to Carlisle, by the way of Lowe's Ferry, now Bertram Galbraith's, was read & the Consideration thereof postponed to the next meeting.

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MEMORANDUM:

On the 10th day of February, 1762, A Bill entituled "An Act for the more effectual suppressing & preventing of Lotteries, was presented to the Governor, & the next day returned to the House, with one amendment.

—

11th February, 1762.

The Governor having received, by Frederick Post, a Letter from some of the Delaware Chiefs over the Ohio, acquainting him that they proposed to hold a Treaty with him early in the Spring, he laid the same before the Assembly with the following Message:

A Message from the Governor to the Assembly.

"Gentlemen:

"I think it necessary to acquaint You that I have lately received from the Delaware Chiefs, Beaver, and Shingas, the Message herewith laid before You, from which it appears that they are very well disposed to cultivate the Friendship of their Brethren, the English.

"And, as since the ceasing of Hostilities betwixt his Majesty's Subjects and them, several Invitations hath been given them, on the part of this Province, for a personal Interview, in order to strengthen and brighten the Chain of Friendship, which, for a long Time, did so happily subsist between us, I cannot but think it highly expedient to give them a Meeting, at such time and place as they shall appoint for that purpose.

"But as this cannot be done without a considerable charge to the Province, I am to request, if you approve of the Measure, that you will make Provision, as well for the expence attending the Treaty, as for the present to be made them, which, upon this Occasion, and after so long an Intermission, will undoubtedly be expected to be a liberal one.

"If it be found necessary that the proposed Treaty shall be held at any other place than the City of Philadelphia, it would be very agreeable to me that some of the Members of your House should accompany me thither.

"JAMES HAMILTON.

"February 11th, 1762."

At a Council held at Philadelphia on Tuesday, the 16th Febr^{y} 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &ca.

Benjamin Shoemaker, Thomas Cadwalader, } Esquires.
Richard Peters, Lynford Lardner, }

A Bill entituled "An Act to enable the Owners and Occupiers of the Wiccaco Meadows, in the County of Philadelphia, to keep the Banks, Dams, Sluices, and Floodgates in Repair, & to raise a fund to defray the Expence thereof," being sent up to the Governor for his Concurrence, was read and approved, and returned to the House without any Amendment.

The Governor laid before the Board a Letter from the Right Honourable the Earl of Egreemont, his Majesty's Principal Secretary of State, Dated the 12th December, 1761, as also one from General Amherst, dated at New York the 9th February, 1762, making a Requisition from this Province to raise Troops for his Majesty's Service the ensuing Year, which were read, and the Governor having prepared a Message to the Assembly, it was read, and sent to the House by the Secretary, with the above mentioned Letters:

A Letter from the Right Honourable the Earl of Egremont to the Governor.

"WHITEHALL, December 12th, 1761.

"Sir:

"As the King has nothing so much at Heart as to secure and improve the great and important advantages gained since the Commencement of this War in North America, and having seen his good Dispositions to restore the publick Tranquility entirely frustrated, by the Insincerity and Chicane of the Court of Versailles, in the late Negociation; and as nothing can so effectually contribute to the great and essential Object of reducing the Enemy to the necessity of accepting a peace, on Terms of Glory and Advantage to his Majesty's Crown, and beneficial in particular to his Subjects in America, as the King's being enabled to employ, as immediately as may be, such part of the Regular Forces in North America as may be adequate to some great and important Enterprize against the Enemy, I am commanded to signify to you the King's pleasure, that in order the better to provide for the full and entire Security of His Majesty's Dominions in N^o^ America, & particularly of the possession of his Majesty's Conquest there, during the absence of such part of the Regular Forces, You do, forthwith use your utmost endeavors with the Council & Assembly of your Province, to induce them to raise, with all possible dispatch within your Government, at least the same number of men as was required from your Province by Mr. Pitt's Letter of December 17th, 1760, vizt: Two-thirds of what they raised the preceeding Campaign, & forming themselves into Regiments, as far as shall be found convenient, that you do direct them to hold themselves in readiness, & particularly as much earlier than former Years as may be, to March to such place or places in North America, as his Majesty's Commander-in-Chief there, or the Officer who shall be appointed to Command the King's Forces in those parts, shall appoint, in order to be employed there, under the Supreme Command of his Majesty's said Commander-in-Chief, or of the Officer to be appointed as above, in such manner as from the Circumstances & Situation of the Enemy's Posts, & the State & Disposition of the Indian Nations on that side, he may judge most conducive to the King's Service; And the better to facilitate this important Service, the King is pleased to leave it to you to issue Commissioners to such Gentlem^n^ in your Province as you shall judge from the Weight and Credit with the people, and their Zeal for the public Service may be best disposed, & enabled to quicken & effectuate the speedy Levying of the greatest number of Men. In the disposition of which Commissioners, I am purswaded you will have nothing in view but the good of the King's Service, and a due Subordination of the whole to his Majesty's Commander; And all Officers of the Provincial Forces, as high as Colonels inclusive, are to have rank according to their seve-

ral respective Commissions, agreeable to the Regulations contained in his late Majesty's Warrant of the 30th December, 1757, which has been renewed by his present Majesty.

The King is further pleased to furnish all the Men, so raised as above, with Arms, Ammunitions, and Tents, as well as to order Provisions to be issued to the same, by His Majesty's Commissaries, in the same proportion and manner, as is done to the rest of the King's Forces. The whole, therefore, that the King expects and requires from the several Provinces, is the Levying, Cloathing, & pay of the Men; & on these Heads, also, that no Encouragement may be wanting to this great & Salutary Service. His Majesty is further most graciously pleased to permit me to acquaint You that Strong Recommendations will be made to Parliament, in their Session next Year, to grant a proper Compensation for such Expences, as above, according as the active Vigor and Strenuous Efforts of their respective Provinces shall justly appear to merit.

"It is his Majesty's pleasure that you do with particular diligence immediately collect & put into the best Condition, all the Arms issued last Campaign, which can be any ways rendered serviceable or that can be found within your Government, in order that the same may be again employed for his Majesty's Service.

"I am further to inform you that similar orders are sent by this Conveyance to Maryland, Virginia, North Carolina, & South Carolina. The Northern Governments are also directed to raise Men in the same Manner, to be employed as His Majesty's Commander-in Chief shall judge most conducive for the King's service in North America.

"It is unnecessary to add anything to animate your Zeal in the execution of His Majesty's orders, in this important Conjuncture, which is finally to fix the future safety and Welfare of America, and of your own Province in particular; And the King doubts not, from your known Fidelity and attachment, that you will employ yourself with the utmost application & dispatch in this promising & decisive Crisis.

"I am, with great Truth and Regard, Sir,
"Your most Obedient humble Servant,
"EGREMONT.

"Dep^ty. Governor of Pennsylvania."

A Letter from His Excell^cy. Sir Jeffery Amherst to the Governor.

"New York, February 9th, 1762.

"Sir:

"By the General Wall pacquet, which arrived here this Morning, I am honored with a Letter from the Earl of Egremont, one of

his Majesty's principal Secretaries of State, bearing date the twelfth of December last, wherein his Lordship is pleased to acquaint me that as the King has nothing so much at Heart as to secure and improve the great and important Advantages gained since the Commencement of this War in North America, and having seen his good Dispositions to restore the public Tranquility frustrated by the Insincerity and Chicane of the Court of Versailles, in the late Negociation, His Majesty is again obliged to take into his Royal Consideration what ulterior operations can be entered upon by such part of the Troops under my Command as can be spared for other Service, without the least Diminution of the full and entire Security as well of His Majesty's former Dominions as of those acquired by Conquest in North America. In order that every thing may be in readiness for an early Campaign, & to be able to employ an adequate number of the Regular Forces in whatever attack may be resolved upon, His Majesty has thought it necessary to lose no time in dispatching His Orders to the several Governors in North America, for levying, with the utmost expedition, the Quotas required of the respective Provinces.

"His Majesty's directions on this Subject to the several Governors, are as fully specified in the Circular Letter wrote by the Earl of Egremont, of which his Lordship has sent me a Copy, that it only remains with me most earnestly to entreat you to lose no time in convening your Assembly, and laying before them the aforesaid Letter of the Secretary of State; and that you will forthwith use your utmost Endeavours and Influence with the Council and Assembly, to induce them to raise with all possible dispatch within your Government, at least the same number of Men as was required from your Province, by Mr. Pitt's Letter of December 17th, 1760, vizt: Two-thirds of what they raised the preceeding Campaign.

"I cannot think, Sir, that I need urge any arguments to convince you of the necessity of an early Compliance with his Majesty's Commands, as it is more than probable that this Campaign, if opened in time, and carried on with Vigour, must be that which will at last compel our Enemy to treat in earnest on such Terms as will be equally glorious and advantageous for his Majesty's Crown, and permanently beneficial to His American Subjects; and I therefore trust the Assembly will enable you to put those commands into immediate Execution, since they terminate in a point wherein they are so nearly concerned, and that the King's principal object has been for their present security, as well as their future Welfare & Prosperity.

"You will observe, by the Earl of Egremont's Letter, that, as a further encouragement to a proper exertion on the part of the Provinces, His Majesty has ordered, as heretofore, that the Provincial Forces should be victualled in the same manner, & in the same proportions, as the Regulars; and that they should be supplied

with Arms and Tents at the Expence of the Crown; moreover, that strong Recommendations will be made to Parliament, in their Session next Year, to grant a Compensation to the provinces, as their respective Vigour and strenuous Efforts shall justly appear to merit.

"I have also in command from his Majesty to enjoin you to collect & cause to be put in proper condition all the serviceable Arms that can be found within your province; for every one of which that shall be brought to the Field, and shall not return by reason of being spoiled in actual Service, I shall pay the usual Allowance of Twenty-five Shillings P. Firelock.

"As it is very essential to the services I may have in Command from the King that I should be, as early as possible, informed of the Resolves of your Assembly on this Head, and of the time the Troops will be ready, I beg that as soon as you are acquainted therewith, you will signify the same to me by Express, that I may regulate myself accordingly.

"I have likewise received a Letter from the Earl of Egremont, of the same date with the former, signifying his Majesty's Intentions of compleating the Regular Regiments serving in North America, by recruits to be raised by the several Provinces (over and above the Quotas demanded in the other Letter), on such Terms & Conditions as I shall propose. I shall, in obedience thereto, as soon as I have fixed on the numbers necessary to be furnished by the respective Provinces, communicate to you the Encouragement which his Majesty is graciously pleased to empower me to give for effecting this most essential Service; & in the mean time, I think it my duty to acquaint You of this intended Measure, that you may be prepared for exerting your utmost Influence with your Assembly to grant the number of men that I shall be obliged to require of your Province, that His Majesty's Commands may be duly obeyed.

"I am, with great Regard, Sir,

"Your most Obedient humble Servant,

"JEFF. AMHERST.

A Message from the Governor to the Assembly.

"Gentlemen:

"By the Packet just arrived, I had the Honour to receive a Letter from the Right Honourable the Earl of Egremont, one of his Majesty's principal Secretaries of State, setting forth, That the King, having nothing so much at Heart as to secure and improve the great advantages gained since the commencement of this War in North America, and having seen his good Dispositions to restore the publick Tranquility, entirely frustrated by the Insincerity & Chicane of the Court of Versailles in the late Negociations; and as nothing can so effectually contribute to the great and essential object of reducing the Enemy to the necessity of accepting a peace

on Terms of Glory & advantage to his Majesty's Crown, and beneficial in particular to his Subjects in America, as the King's being enabled to employ, as immediaely as may be, such part of the regular Forces in North America, as may be adequate to some great and important enterprize against the Enemy; he is, therefore, commanded to signify to me the King's pleasure, that in order the better to provide for the full and entire Security of his Majesty's Dominions in North America, & particularly of the possession of his Majesty's Conquests there, during the absence of such part of the Regular Forces, I should forthwith use my utmost Endeavours & Influence with the Council & Assembly of this Province, to raise, with all possible dispatch, within my Government, at least the same number of Men as was required from this Province by Mr. Pitt's Letter of the seventeenth of December, 1760, vizt: Two thirds of what they raised the preceeding Campaign; and that forming the same into Regiments as far as shall be found convenient, I should direct them to hold themselves in readiness, and particularly as much earlier than former Years as may be, to march to such place or places in North America, as His Majesty's Commander-in-Chief there, or the Officer who shall be appointed to command the King's Forces in those parts shall appoint, in order to be employed there, under the Supream Command of his Majesty's said Commander-in-Chief, or of the Officer to be appointed as above, in such manner, as from the Circumstances & situation of the Enemy's posts, and the state and disposition of the Indian Nations on that side, he may judge most Conducive to the King's Service.

"And the better to facilitate this important Service, the King is pleased to leave it to me to issue Commissions to such Gentlemen in this Province as I shall judge, from the Weight and Credit with the people, and their Zeal for the publick Service, may be best disposed and enabled to quicken and effectuate the speedy Levying of the greatest number of Men; and, further, to allow all Officers of the Provincial Forces, as high as Colonels inclusive, to have Rank according to their respective Commissions, agreeable to the Regulations contained in his late Majesty's Warrant of the 30th of December, 1757, which has been renewed by his present Majesty.

"The King is likewise further pleased to furnish all the Men so raised as above with Arms, Ammunition & Tents, as well as to order provisions to be issued to the same by his Majesty's Commissaries, in the same Proportion & manner as is done to the rest of the King's Forces.

"The whole therefore, that the King expects and requires from the several Provinces is the Levying, Clothing & Pay of the Men; and on these heads also, that no Encouragement may be wanting to this great and salutary services, His Majesty is further most graciously pleased to permit me to be acquainted, that strong recommendations will be made to Parliament at their Sessions next Year, to grant a proper Compensation for such Expences as above, ac-

cording to the active Vigour and strenous Efforts of the respective Provinces shall justly appear to merit.

"In consequence of the above Requisition, and of his Majesty's further Intentions signified to him by the Secretary of State; I have also received a Letter from his Excellency Sir Jeffery Amherst, Commander-in-Chief of the Forces in North America, which, as the matters therein contained will probably soon come under your Consideration, I have judged proper to communicate to You.

"As by the Letters above mentioned, which I have ordered to be laid before you, you will be fully possessed of what the King expects and requires of you on this important Occasion, it would be needless for me to attempt enlarging thereon, since the reasons and interesting Motives therein set forth to induce a speedy and effectual Compliance with His Majesty's demand, are so striking and self-evident that they must necessarily lose of their Force when handled by any inferior Authority. Nevertheless, as in obedience to the King's Command, it is my duty forthwith to use my best Endeavours & Influence to induce you to raise with all possible Dispatch at least the same number of men as was required from this Province by Mr. Pitt's Letter of the Seventeenth of December, 1760, viz$^{t.}$: Two-thirds of what you raised the preceding Campaign. I do accordingly, in the strongest and most earnest manner, recommend this measure to be pursued by you, as being what, in my opinion, the present situation of these Colonies loudly call for, and by your speedy and effectual Compliance with which you cannot fail to entitle yourselves to the continued favour & protection of the best of Kings.

"JAMES HAMILTON.

"February 16th, 1762."

Then were read and considered two Bills which had been just sent up to the Governor for his Concurrence, entitled as follows, viz$^{t.}$:

"An Act to enable the Owners and possessors of the Southern District of Darby Marsh or Meadow Ground, in the County of Chester, to embank and drain the same, to make and keep the outside Banks & Dams in good repair, & to raise a fund to defray the Yearly Expences accruing thereon."

"An Act to enable the owners and possessors of a certain Tract of Marsh and Meadow Land therein described, situate in the Counties of Philadelphia and Chester, to keep the Banks, Dams, Sluices & Floodgates in repair, & to raise a Fund to defray the Expence thereof."

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MEMORANDUM. Thursday the 18th of February, 1762.

The Governor sent down to the House the two above mentioned Meadow Bills, having agreed to the first and made one small Amend-

ment to the latter, And at the same time ordered the Secretary to acquaint the House that he had appointed Mr. Peters and him to compare all the Bills, to which he had given his Assent, with the Engrossed Copies.

—

Eodem Die, P. M.

The Governor being in the Council Chamber, received a verbal Message from the House by two Members that the House proposed to adjourn till the 15th March next, to which His Honour answered that he could not consent to such an Adjournment.

The Bills that had passed the House with the Governor's Concurrence having been compared with their Copies, and the Speaker with the House attending according to order, the Speaker presented the seven following Bills to his Honour to be passed, which were accordingly enacted into Laws & a Warrant signed for affixing the Great Seal thereto.

The Laws passed are as follows, vizt :

"An Act for opening and better amending and keeping in repair the publick Roads and Highways within this Province."

"An Act for the recovery of the Duties of Tonnage upon Ships and Vessels, & certain Duties upon Wine, Rum, Brandy, and other Spirits, & upon Sugar, which became due by virtue of a Law of this Province lately expired, and which were not received during the continuance thereof, & for appropriating the Surplus of the said Duties."

"An Act for vesting the State House and other publick Buildings with the Lots of Ground whereon the same are erected, together with two other Lotts situate in the City of Philadelphia, in Trustees for the uses therein particularly mentioned."

"An Act for the more effectual Suppressing & preventing of Lotteries."

"An Act to enable the owners and occupiers of the Wiccaco Meadows, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Floodgates in repair, and to raise a Fund to defray the Expence thereof."

"An Act to enable the owners and possessors of a certain Tract of Marsh & Meadow Land therein described, situate in the Counties of Philadelphia & *and* Chester, to keep the Banks, Dams, Sluices and Floodgates in repair, & to raise a Fund to defray the Expence thereof."

"An Act to enable the Owners and possessors of the Southern District of darby Marsh or Meadow Ground, in the County of Chester, to embank & drain the same, to make and keep the outside Banks and Dams in good repair, and to raise a Fund to defray the yearly Expences accruing thereon."

The House then adjourned to the 8th of March without the Governor's consent.

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Tuesday the 9th of March, 1762.

MEMORANDUM.

The Assembly having acquainted the Governor, by two Members, that a Quorum was met pursuant to their adjournment, and that the House was ready to proceed on the Business laid before them at their last Meeting, and desired to know if his Honour had any thing further to communicate to them. The Governor sent to the House the following Message, accompanied with Letters from the Earl of Egremont, and Sir Jeffery Amherst, received since the adjournment of the House.

A Letter from the Right Honourable, the Earl of Egremont, to the Governor.

"WHITEHALL, December 12th, 1761.

"Sir:

"The King having taken into his most Serious Consideration how highly essential it is to the Interests and Security of his Subjects in North America, that the Regular Regiment, serving in that Country, be recruited with all convenient Expedition, to their full Complement of Effectives, and at the same time seeing the Impracticability of compleating them from Great Britain, considering how this country is drained by the great number of men furnished for the various Services in all Parts of the World: I am, therefore, to signify to you the King's pleasure, that you do, immediately on the receipt of this Letter, exert your utmost Influence to induce Your Province to carry into the most speedy and effectual Execution this very important Object, by immediate Compliance with any Requisition which Sir Jeffery Amherst shall, in consequence to his Majesty's orders, make for furnishing, on certain conditions, which He will explain to You, such a number of Recruits from Your Province as he shall demand, as their Quota towards compleating the Regular Regiments, which have been sent to America, for the defence and Protection of the Possessions of His Majesty's subjects there; And the King cannot doubt but that the Province will chearfully & readily comply with this reasonable demand, so obviously calculated for their own Security & advantage, at the same time that Your Zeal for His Majesty's service will naturally excite you to use all your Influence and Power in bringing effectually to bear a measure which his Majesty has so much at heart, and with regard to which any Failure or Disappointment would be extremely Disagreeable.

"I have it also in Command from the King to acquaint You, that tho' the present situation of Affairs would have justified the

having required of the Provinces as large a number of Men they ever have raised for any of the former Campaigns, instead of the Quota which was demanded the last Year; Yet His Majesty considering the high Importance of the Service, which makes the subject of this Letter, and being desirous to ease the Burthens of His Faithful Subjects, as far as shall be consistent with their own safety, has been pleased to require only the same number of Men, as for the last Year, in order thereby to facilitate a Measure so essential as the compleating the Regular Regiments by Recruits, to be furnished from the Provinces in North America; and the King is persuaded that the said Provinces, duly sensible of his Majesty's tender and paternal Care for their Welfare, will, in return, readily and chearfully comply with the Orders now sent you.

"I am with great Truth & Regard, Sir,

"Your most Obedient, humble Servant,

"EGREMONT.

"Dep^ty. Govr. of Pennsylvania."

A Letter from his Excellency Gen'l. Amherst to the Governor.

"NEW YORK, February 21st, 1762.

"Sir:

"As I acquainted You in my Letter of the 9th Instant, that I had been honoured with His Majesty's Commands for compleating the Regular Corps serving in North America, by Recruits to be raised by the several Provinces, on such Terms and Conditions as I should propose; in Consequence of these Commands, and in Obedience thereto, I have duly considered, not only the numbers that will be necessary to be furnished by the respective Colonies, but the Encouragement to be given to induce the Men voluntarily to enlist into the Service, which I am persuaded, if properly backed by the Provinces, have the desired Effect.

"The number of Men expected from your Province for this Service, with the method proposed for raising them, I shall now lay before You, and the Earl of Egremont's Letter, which I herewith inclose to You, will show you how much the King has this Measure at Heart, and how disagreeable any Failure or Disappointment therein would be to His Majesty.

"The quota to be furnished by your province, agreeable to the proportions from the other Colonies, is Four hundred & Eighty-two Men; I must, therefore, most earnestly request you will use your utmost Influence with the Assembly to raise that number over and above those already demanded by my Letter of the ninth Instant, by paying them the same Levy Money as to the others; and as an Encouragement to induce the Men to enter into the Regular Service, I propose to allow Five Pounds New York Currency, Bounty

Money, to each Man not under Eighteen, nor above Forty Years of age, who shall inlist to serve during the War, or until the Regiments return to Europe; they shall be cloathed, and enter into pay without any further Expence to the Province than their first Levying; and at the Expiration of their Time above mentioned, shall be sent back to their respective Homes; and in order to encourage the Provincial Officers to forward this essential Service, I leave it to you to appoint any Officer, or Officers, you shall think proper to persuade the men to enter into the regular Service on the above Conditions; for every one of which that he shall so inlist, and that is approved of by a regular Officer whom I shall appoint for that purpose, the said provincial Officer shall receive a reward of Forty Shillings, New York Currency; It will, therefore, be necessary that I have the earliest notice of the Time when you think the Men will be raised, that I may send an Officer to approve of them, receive them, & to pay the Bounty and Reward, as already promised.

"I have only to add, that to render this Service effectual, and to prevent desertion, I shall expect the Province will provide for replacing such men as do desert, which, when known, I am persuaded will prevent any of them from leaving their Corps, since they cannot expect protection in the Colonies.

"You will please to observe that the Execution of this Measure must, by no means, retard or interfere with the Requisition made by His Majesty for the Provincial Service. The King, ever mindful of the Ease and Welfare of his Faithful Subjects, demands only such assistance as may be granted without subjecting them to any heavy Burthen, and therefore has been pleased to make his Requisitions agreeable thereto; and I trust, from your known Zeal for his Majesty's Honour, & the good of the Service, you will enforce the necessity of both Measures, when you meet your Assembly, in such manner that, as these measures are calculated for the prosecution of a War, in which the immediate Security and future Interests of the Provinces are so essentially concerned, they will chearfully and readily comply with His Majesty's Commands, and thereby approve themselves faithful and obedient Subjects to the best of Kings.

"I am with great Regard, Sir,
"Your most Obedient humble Servant,
"JEFF. AMHERST."

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A second Letter from His Excellency Genl. Amherst to the Governor.

NEW YORK, February 22nd, 1762.

"Sir:

"I am this Moment favoured with your Letter of the seventeenth Instant, acquainting me with the reasons for your having adjourned

Your Assembly for a Fortnight, with which I am well satisfied, as I am in hopes they will, by that Time, be fully prepared for complying with the King's Commands, contained in the Earl of Egremont's two Letters, the last of which, respecting the filling up of the Regular Corps by Recruits from the several Provinces, you will receive by this Post, together with one from myself on the same Subject.

"I am, with great Regard, Sir,

"Your most Obedient humble Servant,

"JEFF. AMHERST."

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A Message from the Governor to the Assembly.

"Gentlemen:

"Since your adjournment, I have been honoured with a Second Letter from the Right Honourable the Earl of Egremont, one of his Majesty's principle Secretaries of State, bearing date the twelfth of December last, acquainting me that the King having taken into his most serious Consideration how highly essential it is to the Interests and Security of his Subjects in North America, that the Regular Regiments serving there be recruited with all convenient Expedition to their full Complement of Effectives; and at the same time seeing the Impracticability of compleating them from Great Britain, considering how that Country is drained by the great number of men furnished for the various Services in all parts of the World; He is, therefore, commanded to signify to me the King's pleasure, that immediately after the receipt of the said Letter, I should exert my utmost Influence to induce this Province to carry into the most speedy and effectual Execution this very important Object, by an immediate Compliance with any requisition Sir Jeffery Amherst shall, in Consequence of his Majesty's orders, make, for furnishing on certain Conditions, which he will explain to me, such a number of Recruits from this Province as he shall demand, as their Quota towards compleating the regular Regiments which have been sent to America for the Defence and Protection of the Possessions of His Majesty's Subjects there. And that the King cannot doubt but that the Provinces will chearfully and readily comply with this reasonable demand, so obviously Calculated for their Security and advantage, which His Majesty hath so much at Heart, and with Regard to which, any Failure or Disappointment would be extreamly disagreeable.

"His Lordship is also, by His Majesty's Command, further pleased to acquaint me, That tho' the present situation of affairs would have fully justified the having required of the Provinces as large a number of Men as they ever have raised for any of the former Campaigns, instead of the Quota which was demanded last

year, yet, that His Majesty considering the high Importance of the Service, which makes the subject of his Letter, and being desirous to ease the Burthens of His Faithful Subjects, as far as shall be consistent with their own Safety, hath been pleased to require only the same number of men as for the last Year, in order thereby to facilitate a measure so essential as the compleating the regular Regiments, by Recruits to be furnished from the Provinces in North America; and that the King is persuaded that the said Provinces, duly sensible of His Majesty's tender and paternal Care for their Welfare, will in return readily comply with the Orders now sent.

"At the same time that Sir Jeffery Amherst transmitted to me the above mentioned Letter from the Secretary of State, he was likewise pleased to honour me with one from himself, ascertaining, pursuant to the trust reposed in him by the King, as well the number of men required to be furnished by this Province, for compleating the regular Corps serving in North America, as the method proposed for raising them, by which you will perceive, that the number expected from us, agreeable to the proportions from the other Colonies, amounts to Four hundred & Eighty-two Men, over and above those required by his Letter of the ninth of the last Month. And as an inducement to the men to enter into the regular Service, he proposes that we should pay to them the same Levy money as is given to the Provincials, in addition to which, as a further Encouragement, he will allow the Sum of Five Pounds, New York Currency, to each man approved of by a regular Officer to be appointed for that purpose, who shall inlist to serve during the War, or until the Regiments shall return to Europe; that the Men so raised shall be cloathed and enter into immediate pay, without any further expence to the Province than their first Levying, and at the expiration of their Time, as above mentioned, shall be sent back to their respective Homes.

"He is also pleased to signify to me, that to render this Service effectual, & prevent Desertion, he does expect that the Province will provide for re-placing such men as do desert; which when known, he is persuaded will prevent any of them from leaving their Corps, since, in that Case, they cannot expect protection in the Colonies. And lastly, that the Execution of the above measure must, by no means, retard or intefere with the Requisition made by His Majesty for the Provincial Service.

"When you call to mind, Gentlemen, the present critical State of Affairs both in Europe & America; the unhappy prospect of a Continuance of the War with France, and the great Reason there is to apprehend that His Majesty may soon be obliged to enter into a new one, with another formidable power, for vindicating the Honour of His Crown, and the Commercial Interests of His Subjects, in which the Service of the regular Regiments, when compleat, cannot fail to be of the utmost Importance;

"When you reflect on the seasonable and powerful protection these Colonies have received from the Mother Country, by means of these very Regiments, and the utter impracticability of recruiting & compleating them from Great Britain, already drained of Men, by the various & extensive Services in all parts of the World; and above all, how much His Majesty hath the Execution of this Measure at Heart, and how very disagreeable any Disappointment therein must consequently prove to him;

"I say, Gentlemen, when you shall have duly weighed & considered these several very important & interesting Circumstances, I flatter myself, & indeed cannot entertain a Doubt, but that you will chearfully and readily comply with His Majesty's Commands hereby signified to you; and in so doing, approve yourselves faithful and affectionate Subjects to the best of Sovereigns; to which I most earnestly press and exhort you; and for your more particular Information, I have ordered the several Letters, from which this Message is chiefly an extract, to be laid before You.

"JAMES HAMILTON.

"March 8th, 1762."

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The following Letter from the Governor, to Beaver & Shingass, in answer to theirs of was sent by Mr. Frederick Post:

"Brethren, (Beaver and Shingass & all other our Indian friends):

"I have received your kind Messages by Mr. Crogan and Mr. Frederick Post, (or Wallangundowngen) with the Belts sent therewith.

"Brethren:

"It pleases me to hear of the great care you have taken to communicate the good news of the Peace to all the Nations that you are connected with, & that they have, at your instance, renewed & brightened the old chain of Friendship.

"Brethren:

"What you say is true, namely, that some of your Flesh and Blood have been Killed since making the peace, but I can assure You with great truth, that it has given me as much grief and trouble of Heart as if it had been my own Flesh, and I have spared neither pains nor Expence to find out the Authors of these Murders, and I do still continue my endeavours to do so, to the end that they may be brought to publick Justice. All our people are made acquainted, by Proclamation, with this, and that they are to Love, and Cherish, and be kind to their Brethren, the Indians, whenever they come amongst us.

"Brethren:

"I desire you will present my kindest affections to all your people, and let them know that their intention to visit me this Summer, is

very agreeable, and that they shall be received with the heartiest welcome."

A String.

"Brethren:

"As we have now in this City some Remains of the Small Pox, and it is warm weather, that infectious disease may perhaps increase, I have kindled the Council Fire at Lancaster, to which place I invite you and all your Friends by this Belt."

A Belt.

"Brethren:

"I request you will not fail to let me know before hand, when you propose to set out on your Journey, that I may send proper persons to escort you, & suitable provisions for you and your Company on the Road.

"Brethren:

"Wollangundowngen will conduct you thro' the Province, to Lancaster, & take care that you have what is necessary for you in your Journey, and I put him under your Protection for this purpose.

"JAMES HAMILTON.

"Philadelphia, 11th March, 1762."

MEMORANDUM, 17th March, 1762.

The Governor, not having received any Message from the House since their Sitting, relating to His Majesty's demands, sent them the following Message, Viz^{t}:

A Message from the Governor to the Assembly.

"Gentlemen:

"It being of the greatest Importance to the King's Service, that Sir Jeffery Amherst should, as soon as possible, be acquainted with your proceedings upon His Majesy's two Requisitions, some time since laid before You, that he may know not only what assistance he has to depend upon from this Province in the ensuing Campaign, but your Resolutions likewise, with respect to the other essential Measures of a quota of Men for filling up and compleating the Regular Regiments, so strongly recommended & enjoined by his Majesty, I am to desire that you will acquaint me with your Determination upon those several Heads, that I may forthwith apprize him thereof, in order that His Excellency, who impatiently expects an account of them, may be thereby enabled to regulate his Measures accordingly.

"JAMES HAMILTON.

"March 17th, 1762."

And the same day the Governor received from the House the following answer, vizt:

A Message to the Governor from the Assembly.

"May it please your Honour:

"The Representatives of the people of this Province, ever desirous of demonstrating their Loyalty to the Crown, & the utmost Readiness in complying with His Majesty's most gracious Requisitions, as far as the Circumstances of the Province will permit, at the Beginning of this sitting, took into consideration his Majesty's Demand of a number of Provincials to serve under his Commander-in-Chief in these parts, upon which they have chearfully resolved, notwithstanding the heavy Burthen of Taxes already imposed on this Young Colony, to raise a thousand effective Men, to be employed as His Majesty's Commander-in-Chief shall order and appoint; A Bill for this purpose is now before us, and will, in a short time, be presented to your Honour for your Assent.

"It would have given us pleasure could we accede to the other Requisition made on this Province, of furnishing a number of Men towards recruiting the Regular Corps serving in North America, but when we take a view of the large number of Recruits had from this Province for that purpose, which we apprehend, amount to more than has been supplied by all the other Colonies beside, whereby it is already drained of Men, we are obliged to inform your Honour, we find it impracticable to comply with a Measure so warmly recommended by His Majesty's Secretary of State, and we cannot doubt, were his Majesty apprized of the large number of Men recruited in this Province, and the present difficulties of the People arising therefrom, our Inability in this respect, will not be esteemed an Instance of want of due regard to the Requisition of the Crown.

"Signed by order of the House.

"ISAAC NORRIS, *Speaker.*

"March 17th, 1762."

At a Council held at Philadelphia, on Tuesday the 23rd day of March, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esqr Lieutenant Governor.

Benjamin Shoemaker, Joseph Turner, } Esq^{rs}
Richard Peters, }

In pursuance of the Governor's Message of the 16th Ultimo, to the Assembly, setting forth His Majesty's Requisitions from this Province to raise and pay a number of Troops for the service of

the present War, the House sent up to the Governor for his Concurrence a Bill entitled

"An Act for striking the sum of Seventy thousand pounds in Bills of Credit & giving the same to His Majesty, and for providing a fund for sinking the Bills of Credit to be emitted by virtue of this Act."

Which the Governor having considered, and found to be directly repugnant to the Judgment and determination of His Majesty in Council on Acts of the like kind, which had been repealed, His Honour laid the Bill before the Board, with his objections thereto, and a Message to the House, which was read and approved, and the Bill was returned to the House with the following Message, vizt:

A Message from the Governor to the Assembly.

" Gentlemen :

" On the important Occasion of His Majesty's several Requisitions from this Province, it would have given me the greatest pleasure to have received such a Bill from you for carrying them into execution, as I could chearfully & willingly have given my Assent to.

"And I flatter'd myself that the solemn Decision of His late Majesty in Council on certain points long contested between the different Branches of our Legislature, would have fixed them so certainly that each would have rested satisfied, & that no future Contention could have arisen about them.

" Judge then of my surprize and concern, when on perusal of the Supply Bill, now sent up for my Concurrence, I found it to contain the very same Clauses and provisions, on account of which, principally, some of your late Laws were repealed.

" I would have amended your Bill, Gentlemen, in such manner as to have made it correspond with the declared Judgment and Opinion of his late Majesty's privy Council on an Act of the like sort, and with the Stipulations entered into on your Behalf by your Agents in England, but that was found impracticable, without being obliged in a great Measure, to new Model the Bill; a province more particularly belonging to you. I shall, therefore, content myself at present, with pointing out to you two Clauses or provisions which were required by their Lordships to be inserted in a former Supply Bill, as a necessary Condition to prevent it's being repealed, one of which is not only entirely omitted, but both of them are virtually contravened by the present Bill; and the Opinion of the Lords of Trade with regard to a third point, in which the Bill now before me, is liable to the strongest & most material Objection.

" The first relates to the Disposition of the publick Money, on which their Lordships are pleased to insist, 'That the Governor's consent & approbation be made necessary to every issue and application of the Money to be raised by virtue of such Act.'

"The second regards Acts for creating & issuing Paper Bills of Credit, in lieu of Money, on which their Lordships have given their Judgment; That the payments by the Tenants to the proprietaries of their Rents, shall be according to the Terms of their respective Grants, as if such Acts had never passed.

"The third relates to the connecting & blending things together in the same Bill, which have not the least necessary Relation to each other, on which the Lords of Trade were pleased to express themselves in the following Words:

"We have likewise, my Lords, another very material objection to this Bill, as it is now constituted, arising from the Re-emission, being connected with the Loan to Colonel Hunter, with which it has not the least necessary Relation. By this method of blending together, in the same Bill, Things which are, in their own nature, totally seperate, the Crown is reduced to the alternative of passing what it disapproves, or of rejecting what may be necessary for the publick Service; And this manner of framing Laws has been always so exceptionable to his Majesty, that in Governments more immediately under the Controul of the Crown, it is a standing Instruction to the Governor, not to give his assent, whenever it was proposed that matters of a different nature should be regulated in the same Law.

"I do therefore earnestly request you, Gentlemen, to reconsider your Bill, and to make such alterations therein, as may render it agreeable to the Judgment and Opinion of his Majesty's privy Council in the Points above mentioned; and further, that in Consequence of the Opinion of the Lords of Trade, so strongly & deliberately given, you will also exonerate it of their Lordship's objections, by seperating from the Bill of Supply all such parts and Clauses as have no necessary Relation to it, that I may be at Liberty to judge more impartially of their Merits when regulated apart and by themselves.

"When these essential Objections, Gentlemen, which I have now laid before You, are removed, I am in hopes there are few other difficulties remaining, but what may be got over in favour of so necessary & important a Measure as ought to make the principal Object of this Bill, & for that purpose I now send it down to You.

"JAMES HAMILTON.

"March 23rd, 1762."

"A Bill entituled 'An Act for erecting the Southern Suburbs of the City of Philadelphia into the district of Southwark, for making the Streets & Roads already laid out therein Public Roads and Highways, and for regulating such other Streets and Roads as the Inhabitants thereof may hereafter lay out, and for other uses and purposes therein mentioned;' being presented to the Governor for his assent, was read and approved & returned to the House without any Amendment or Objection to it.

"Then was read also a Bill entituled 'An Act for regulating, pitching, paving and cleansing the Highways, Streets, Lanes and Alleys, and for regulating, making & amending the Water Courses and Common Sewers, within the Inhabited and settled parts of the City of Philadelphia, and for raising of Money to defray the Expences thereof.'

—

EODEM DIE.

MEMORANDUM.

The Assembly sent up the Supply Bill to the Governor by two Members, with a verbal Message that the House adhered to the Bill.

—

24th March.

The Governor returned to the House the Bill entituled "An Act for regulating, pitching, paving, and cleansing the Highways, &ca.," with a few literal Amendments, having no objection to it in general.

The Secretary, by the Governor's Order, acquainted the House that His Honour intended to send the House his Result upon the Supply Bill sometime to-Morrow Morning.

—

25th March.

MEMORANDUM.

The Governor returned the Supply Bill, with the following Message to the Assembly:

A Message from the Governor to the Assembly.

"Gentlemen:

"The Alterations proposed to be made in your Supply Bill were, in Consequence of the Judgment and Opinion of his late Majesty's Most Honourable Privy Council, on a Bill of the like Nature with this, when, after having heard the Merits of it debated before them by learned Counsel on both sides, their Lordships were pleased to report it to his Majesty as their opinion, that the same ought to be repealed, unless among others, two of the alterations I have now offered to your Consideration should be made therein.

"And as that august Judicatory is deservedly constituted the last Resort in all Cases, from the Plantations, I was in hopes, and in-

deed made no Doubt but you would have acquiesced with their Determination, & regulated your Bill in Conformity to it.

"It could not, therefore, but give me the greatest Concern to find, by your Message of the twenty-third Instant, that you adher'd to the Bill as sent up to me, thereby refusing to admit of any of the alterations proposed, & thence, of necessity, depriving His Majesty of all benefit from your Grant.

"For whatever the present Occasion for Supplies may be (and you have heard from the best authority that they were never greater), I am confident His Majesty would think them purchased at too dear a rate, were they to be obtained, by giving up any of the just, legal and essential powers of Government.

"I forbore, Gentlemen, to enter particularly into several other parts of your Bill, which, tho' not agreeable to me, might yet have been got over in favour of so important a Service, and confined myself to the three particulars which had already undergone the censure of the Board of Trade and Privy Council, and received their Determination. I cannot, however, omit to observe, that although you are pleased to stile it a Grant to His Majesty of Seventy thousand Pounds, yet, in reality, not more than thirty thousand of this Money, even at the highest Estimate, was to have been made use of for the purposes of the King's requisitions, a considerable part of the remainder being ordered to be applied to the discharging of old debts and new Services, many of which had not the least necessary relation to the present Supply Bill, & others for which payment had already been ordered from the Treasury and Loan Office.

"You are sensible, Gentlemen, that the sole intention of your continuing to sit at this time, was to consider of His Majesty's Requisitions, and to make Provision for carrying them into execution, and this I acknowledge would have been done in a certain, though very inadequate Degree, by the Bill sent up for my Concurrence, had you not, at the same time, rendered it ineffectual by having blended with it several matters totally foreign to, and which had no necessary Connection with the Supply granted to the King; and moreover by your insisting to retain in it several Clauses & Provisions which flatly contradict the Judgment & Decree of His late Majesty in Council, which I shall always think it my duty to regard with the greatest Deference and Respect.

"If the several Provisions respecting the debts now chargeable, or which may hereafter become chargeable to the Province, (and with which your Supply Bill is clogged) be really for the Public good, as I profess to have as high a Regard for the Honour and Interest of the Province as any Person in it, You may be assured that I now am, or shall at any future Time, be ready to take into Consideration, and to concur with you in any measures which shall appear just and reasonable for rendering them beneficial to the public. I can, therefore, see no occasion you have for blending or tacking them to the present Bill of Supply, as you thereby neces-

sarily overthrow your own Work, and instead of advancing the King's service, impede and obstruct it.

"Upon the whole, Gentlemen, if, as I would willingly hope, you are seriously and heartily disposed to render the Grant you have made to the Crown effectual, You will no longer delay to separate from your bill such Parts and Clauses as have no necessary relation to the principal End and Intention of it, the Supply to His Majesty, & you will also adopt and insert in it the two Clauses or Provisions I mentioned to you in my message of the twenty-third Instant, which were required by the Lords of His Majesty's Council to be inserted in a former Supply Bill, as a necessary Condition to prevent its being repealed, the one for the sake of Justice, the other from a regard to the legal powers of Government, and as not at all interfering with any of the Rights or Privileges of your House, either under your Charter or other Fundamental Law of this Province; which, if you shall longer decline to do, I am afraid you will find no little difficulty in convincing His Majesty's Ministers of the Sincerity of your Intentions in the Grant you have now nominally made to the King.

"Let me, therefore, intreat you, Gentlemen, before it is too late, to reconsider your Bill, & to return it again to me as soon as conveniently you can, freed and exonerated of the above mentioned objections, in such manner as that I may chearfully concur with you in giving my Assent to it, without injuring the just rights of Government, or wounding my own Honour; For however solicitous I may be that His Majesty should receive from this Province the best aid and assistance we are able to afford him at this critical and important Juncture, which so loudly and importunately calls for it, yet I can never consent to obtain it by inflicting so deep and severe a Wound, both in the executive & legislative powers of this Government, as the passing of your Bill, as it now stands, would amount to.

"JAMES HAMILTON.

"March 25th, 1762."

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The same day two Members waited on the Governor to know what time he would be pleased to appoint for the attendance of the House, in order to pass the two Bills which had received his Assent.

26th of March.

The Governor by his Secretary having acquainted the House that he was in the Council Chamber and required their attendance, The Speaker and the House waited on his Honour accordingly, & presented to him the two following Bills, which the Governor enacted into Laws, & by his Warrant ordered the Great Seal to be affixed thereto, Viz^{t}:

"An Act for erecting the Southern Suburbs of the City of Philadelphia, in the District of Southwark, &ca."

"An Act for regulating, pitching, paving & cleansing the Highways, Streets, &ca."

The Speaker then acquainted the Governor that the House proposed to adjourn till the 6th of September next, To which the Governor, seeing no probability of their agreeing about the Terms of the Supply Bill, made no objection.

At a Conference with the Indians held at Philadelphia on Tuesday, the 30th of March, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor, &ca.

Richard Peters, Lynford Lardner, } Esq^{rs}, of the Council of the Province.

Joseph Fox, Fsq^{r}, one of the Representatives in the Assembly.

Men of the Cayuga Nation, whose names are, vizt,

Tatyonon ton ha, Conohanioku, } both Chiefs.	Horachseteacu, Honohughwe,
Hotroghiaghe,	Zowohees,
Skronoghe,	Conotohoghk,
Thogatshiot, John Y^{e}, Speaker,	Kentorontei,
Tiogards,	Sogonegoghlos,
Tiochguauny,	Coheroto,
Caroghuonantocu,	Coeghroto,
Tadwogancung,	Thajatorecks,
Huwonochseshung,	Thawo;ogarol,

David Seisburger, Interpreter.

The Governor being Yesterday informed that Twenty-one Indians of the Cayuga Nation had come to Town last Sunday, & that they had Business with him, he sent for them, bid them Welcome, & desired that they would let him know what they had to say to him.

Then Totyonontonha spoke to the Governor as follows:

"Brother:

"I am glad to see you; I have found the road very bad in coming here by means of the deep Snows, so that I had liked to have tired on the way, and was so cold that the fire would hardly keep me warm.

"Brother:

"At the last Treaty at Easton, you spoke to me concerning the Prisoners, & desired me to assist you in recovering Your Flesh and Blood.

" Brother Onas :

" After the last Treaty of Easton, I came down with the Nanticokes to Philadelphia, and you spoke to me again about the delivery of the Prisoners, & told me you had sent several Belts among the Nations to deliver up the Prisoners, & that notwithstanding these Belts nothing has yet been done; You told me further that you knew where the Prisoners were, & that if they would not deliver them you would fetch them yourself; You spoke further to me at the same time, and said you, the Onondagoes, Cayugas, Oneidas, & Tuscaroras must send down the Prisoners among you.

" Brother :

" After we returned home there was a Council held at Onondago, & from that Council 4 Belts were sent to the Oneidas, Cayugas, Tuscaroras, & Senecas, letting them know that Brother Onas requested that each Nation would send down the Prisoners that were among them.

" Brother :

" We, the Cayugas, went to the Senecas, and told them what Brother Onas had said about the Prisoners, & desired them to make haste & think of the matter, but they returned us no answer for two Months; We then went to their Town again, and desired them to think about the delivery of the Prisoners, but we received no answer till twenty days afterwards, when we went to them a third time upon the same Business; They then told us that what we said was true, & that they would kindle a small Fire on the Leaves, and afterwards would go to Onondago, where there should be a great Fire kindled, and when they had done, they would set off for this Province.

" Brother :

" We think likewise that the heads of the Seven Nations are on the Road now; That they as well as the Delawares will come down and bring all their Prisoners with them.

" Brother :

" After the Council was over at Onondago, the Senecas sent five of their Indians to the Cayuga Town, who told us that they had finished at Onondago, and would hold a little Council among themselves, and then set off with the Prisoners, that some of them would go by Sir William Johnson, & from thence by the way of Chenango, and others of them would come down the Cayuga Branch by Secaughcunk, and that they would bring the Prisoners from Allegheny as well as from all other parts; and they gave us this String, desiring us to go and acquaint their Brother Onas, with their Intention of coming down.

A String :

" Brother :

" When your Flesh and Blood comes to you, you will find that they are very ragged and will want Cloathing, & you will take care of them.

"Brother:

"The Seven Nations sent this String by us to desire that yo will send for George Croghan & Montour, that they may l here against we come, for they think they are at a great distance.

A String.

"Brother:

"We intend to sett off to-morrow Morning, to return home, an we expect to meet the Seven Nations coming down. They desire us to make haste back.

"Brother:

"They told us perhaps you will get fine Cloaths, & then we sha be glad.

"Brother Onas:

"Powder is very scarce amongst us, & we cannot kill meat enoug to eat, and we desire you will supply us with some, and we mak you a present of these two Bundles of Skins and Furrs.

"Brother:

"And we desire the favour of You, to give us some Kettles Paint, and some little necessaries that we are in want of, And w make you a present of another small parcel of Skins."

The Governor asked them whether they had not heard that great Treaty was to be held in this Province, next Summer wit the Western Indians, And they answered that they had not hear a word about it.

The Governor acquainted them that he would consult with hi Wise men about what they had said to him, & would return then an answer the day after to-morrow, and that they should stay i Town till that time.

At a Conference held with the Indians at Philadelphia, the thir day of April, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Gov ernor, &c^a.

Richard Peters, } Esquires.
Joseph Fox, }

20 Cayuga Indians, vizt:

Totyonon ton ha, } both Chiefs.
Conoharrioku, }

Thogatschiot, or John, the Speaker, &ca., as on the 30th Ult^o.

David Seisberger, Interpreter.

"Brethren:

"Now that you have rested yourselves after your fatigues i travelling so far through the Frost and Snow, I am going to giv an answer to the Message you brought me from the Six Nations.

Brethren:

"I wipe away the Ice and Snow which have hurt and bruised ur Legs and Feet in so long a Journey, & bid you welcome to is Town."

A String.

Brethren:

"You tell me that you were sent by the Six Nations to acquaint e they are coming down to the old Council Fire with their Bro- er, Onas, & that in consequence of my request at the last Treaty Easton, they are bringing with them all the Prisoners & Captives, r Flesh and Blood, who still remain in their Country, & those of eir Allies.

"If this be really so, I shall be glad to see them, make them elcome, and give them marks of my Friendship.

Brethren:

"I thank you for the regard you have paid to the request made ou, as well at Easton, as when you were last in this town, con- rning our Flesh and Blood, and likewise for the Trouble you have en at in solliciting the Senecas and your other Friends, to collect e Prisoners among them & send them to us.

Brethren:

"We are surprized to hear that such great numbers of Indians e coming to visit us at so unusual a Season, and that they should e even now set out from their Towns, and expect you to meet them the way; We have ever been glad to see our Brethren, and on is agreeable occasion of bringing to us our Flesh and Blood, we ould have had a particular pleasure; But we expected this would ave been done by a few principal men, and that we should have ad notice sent us a proper time before their setting out, that we ight have been prepared.

"Listen attentively to the answer I am going to send by you to he Six Nations, & be careful to deliver it to them in my own words.

Brethren the Seven Nations:

"I have heard the Message you have sent to me by the Cayuga hief, namely, that you are coming to see me, & will bring along ith you the Prisoners that are among you and your allies.

Brethren:

"It would be very agreeable to me to see you on such an occa- ion as the bringing to us our Flesh and Blood. But at the Time ou propose to be here, I am obliged to be in another Province on Business that cannot be put off.

"And I must likewise inform you that this Spring I expect a umber of the most respectable Chiefs of the Western Indians, who ave acquainted me that they intend a visit to me, and I imagine hey may be here in about two Moons, but they have promised to ive me notice a little before they set out from their towns.

Brethren:

"Finding myself under these engagements before your Messen- gers arrived, I must desire, if you are not already set out, that you

would defer your Journey 'till the latter end of the next Moon, about which time I expect the Western Indians will set out.

"Brethren:

"If you should be already set out on your Journey, I must desire you will proceed no further than Shamokin, and to remain there 'till you hear further from me; There you can stay with convenience, and you shall be supplied with a sufficient quantity of Powder to enable you to hunt, & with meal enough to make bread for your comfortable subsistence.

A String.

"Brethren:

"At the last Meeting at Easton there was a great number of Indians, & the Province was put to a heavy charge. I gave them the meeting at that time very chearfully in hopes of seeing our Flesh and Blood delivered according to their frequent promises, but we were much disappointed at seeing but one Female Child brought down; and therefore it is with great Truth & plainness I assure you, that as we now know not of any other Business you have with us at present, if you do not bring down every prisoner among you, we shall have reason to think your professions of Friendship don't come from your Hearts, & it will not be agreeable to us to see you.

"Brethren:

"Instead of such a large number of young men, Women, & Children, who occasion a heavy charge coming down on these occasions, We should think it would be as well to appoint a proper number of your principal Men to bring down the Prisoners, who shall be well rewarded for their Trouble, & by saving the expence attending large Companies, we should be able to make larger presents of such necessaries as our Indian Brethren may be most in want of."

A String of 4 Rows.

"Brethren:

"As for my sending for Mr. Croghan & Andrew Montour, I must let you know that they do not belong to this Province, but are under the direction of Sir William Johnson, & therefore, if their assistance is wanted, you are to make your application to Sir William Johnson, that he may, if he pleases, order them to attend the Treaty."

The String returned.

"Agreeable to your request, we have provided several things for you, which will be delivered to you by Mr. Fox; and as you were so kind to make us a present of some Furrs & Skins, We have in return provided an Horse for Totyonontonha."

At a Council held at Philadelphia, on Monday, the 5th of April, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor.

Joseph Turner, Richard Peters, } Esq^rs.
Benjamin Chew, }

The Governor having received by the Enterprize Ship of War a Letter from the Right Honourable the Earl of Egremont, one of the Secretary's of State, dated the day of January, 1762, inclosing His Majesty's Declaration of War against the King of Spain, laid them before the Board, together with His Honour's Proclamation, which was read and approved, and a Warrant was issued to have the Great Seal affixed thereto.

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EODEM DIE, P. M.

At 4 o'Clock His Honour, the Governor, being attended at his House by the Council, Mayor, Recorder, Alderman, Common Council, Sheriffs, & his Officers, &c^a, proceeded to the Court House, when the declaration of War against Spain was proclaimed, and the Governor's Proclamation read by the Secretary, with the usual Solemnity, in the presence of a vast concourse of people.

His Majesty's Declaration of War against the King of Spain.

"GEORGE R.:

"The constant Object of our Attention, since our Accession to the Throne, has been, if possible, to put an end to the Calamities of War, & to settle the public Tranquility upon a solid and lasting foundation. To prevent those Calamities from being extended still farther, & because the most perfect Harmony between Great Britain and Spain is at all times the mutual Interest of both Nations; it has been our earnest desire to maintain the strictest Amity with the King of Spain, and to accommodate the Disputes between Us & the Crown in the most amicable manner. This object we have steadily pursued, notwithstanding the many partialities shown by the Spaniards to our Enemies, the French, during the Course of the present War, inconsistent with their Neutrality; And most essential Proofs have been given of the Friendship & Regard of the Court of Great Britain for the King of Spain and His Family. After a Conduct so friendly and so full of good Faith on Our part, It was a matter of great surprize to Us to find a Memorial delivered on the Twenty-third day of July last, by Monsieur Bussy, Minister Plenipotentiary of France, to One of Our principal Secretaries of State,

expressly relating to the Disputes between Us and the Crown of Spain, and Declaring that If those Objects should bring on a War, the French King would be obliged to take part therein. Our Surprize was increased, when afterwards this unprecedented & offensive Step, made by a Power in open War with Us, was avowed by the Spanish Minister to our Ambassador at Madrid, to have been taken with the full approbation and consent of the King of Spain. But as this avowal was accompanied with the most becoming Apologies on the part of the King of Spain, & with Assurances that such Memorial never would have been delivered, if it had been forseen that We should have looked upon it in an offensive light, & that the King of Spain was at liberty, and ready to adjust all his Differences with Great Britain, without the intervention or knowledge of France. And soon after, We had the Satisfaction to be informed by Our Ambassador at Madrid, that the Spanish Minister, taking notice of the Reports industriously spread of an approaching Rupture, had acquainted him that the King of Spain had at no time been more intent on cultivating a good Correspondence with Us; And as the Spanish Ambassador at our Court made repeated Declarations to the same effect, We thought ourselves bound in Justice and Prudence to forbear coming to Extremities. But the same tender concern for the Welfare of our Subjects, which prevented our accelerating precipitately a War with Spain, if it could possibly be avoided, made it necessary for us to endeavour to know with certainty what were the Engagements and real Intentions of the Court of Spain. Therefore, as We had Information that Engagements had been lately contracted between the Courts of Madrid and Versailles, and it was soon after industriously spread throughout all Europe by the Ministers of France, that the purport of those Engagements was Hostile to Great Britain, & that Spain was on the point of entering into the War, We directed our Ambassador to desire, in the most Friendly Terms, a Communication of the Treaties lately concluded between France and Spain, or of such articles thereof as immediately related to the Interests of Great Britain, if any such there were, or at least an Assurance that there were none incompatible with the Friendship subsisting between us and the Crown of Spain. Our astonishment & concern was great when we learnt, that so far from giving Satisfaction upon so reasonable an application, the Spanish Minister had declined answering, with reasonings & insinuations of a very hostile Tendency; and as, at the same time, we had Intelligence that great armaments were making in Spain by Sea & Land, We thought it absolutely necessary to try once more if a Rupture could be avoided. We, therefore, directed our Ambassador to ask in a firm but Friendly manner, whether the Court of Madrid intended to join the French, our enemies, to act hostilely against Great Britain, or to depart from its Neutrality; and if he found the Spanish Minister avoided to give a clear answer, to insinuate in the most decent manner, that the refusing or avoiding to answer a Question so reasonable,

could only arise from the King of Spain's having already engaged, or resolved to take part against us, & must be looked upon as an avowal of such hostile Intention, & equivalent to a Declaration of War, and that he had orders immediately to leave the Court of Madrid. The peremtory refusal by the Court of Spain to give the least Satisfaction with regard to any of those reasonable Demands on our part, and the solemn Declaration at the same time made by the Spanish Minister, that they considered the War as then actually declared, proved to a Demonstration that their resolution to act offensively, was so absolutely & irrevocably taken, that it could not be any longer dissembled or denied. The King of Spain, therefore, having been induced, without any provocation on our part, to consider the War as already commenced against us, which has in effect been declared at Madrid, We trust that by the Blessing of Almighty God on the Justice of our Cause, & by the assistance of our Loving Subjects, we shall be able to defeat the ambitious designs which have formed this union between the two Branches of the House of Bourbon, have now begun new a War, and portend the most dangerous Consequences to all Europe; Therefore, We have thought fit to declare, and do hereby declare War against the said King of Spain, and We will, in pursuance of such declaration, vigorously prosecute the said War, wherein the Honour of our Crown, the Welfare of our Subjects, & the prosperity of this Nation, which we are determined at all times with our utmost power to preserve & support, are so greatly concerned. And we do hereby Will and Require our Generals & Commanders of our Forces, Our Commissioners for executing the Office of Our High Admiral of Great Britain, Our Lieutenants of our several Counties, Governors of our Forts and Garrisons, & all other Officers and Soldiers under them, by Sea & Land, to do and execute all Acts of Hostility in the prosecution of this War, against the said King of Spain, his Vassals and Subjects, and to oppose their attempts, Willing and Requiring all our Subjects to take notice of the same, whom We henceforth strictly forbid to hold any Correspondence or Communication with the said King of Spain or his Subjects; And we do hereby command our own Subjects, and advertize all other persons of what Nation soever, not to transport or carry any Soldiers, arms, powder, Ammunition or other contraband Goods, to any of the Territories, Lands, Plantations or Countries of the said King of Spain; Declaring that whatsoever Ship or Vessel shall be met withal, transporting or carrying any Soldiers, Arms, Powder, Ammunition or other Contraband Goods, to any of the Territories, Lands, Plantations or Countries of the said King of Spain, the same being taken, shall be condemned as good and lawful prize. *And Whereas* there may be remaining in Our Kingdoms divers of the Subjects of the King of Spain, We do hereby declare our Royal Intention to be That all the Spanish Subjects who shall demean them-

selves dutifully towards us, shall be safe in their persons and Effects.

"Given at our Court at St. James's, the Second day of January, 1762, in the Second Year of Our Reign.

"GOD SAVE THE KING."

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By the Honourable JAMES HAMILTON, Esquire, Lieutenant Governor & Commander-in-Chief of the province of Pennsylvania, & Counties of New Castle, Kent, and Sussex, upon Delaware.

A PROCLAMATION.

"WHEREAS His Majesty, for the most just and indispensable Reasons, hath, by His Declaration dated at St. James's, the 2nd day of January last, declared War against the King of Spain; *And Whereas* His Majesty hath been pleased to signify his pleasure to me by one of His principal Secretaries of State that the same should be proclaimed in the province under my Government, in order that His Subjects having notice thereof may take care to prevent any Mischief which otherwise they might suffer from the Enemy, & do their duty in their several Stations to distress and annoy the Subjects of Spain, And the said Declaration hath been this day proclaimed accordingly; I do, therefore, with the advice of the Council, issue this proclamation, strictly enjoining and requiring all His Majesty's Subjects in this province capable of bearing Arms, forthwith to provide themselves with all proper Warlike Weapons, together with a sufficient quantity of Ammunition, that they may be prepared not only to defend this his Majesty's province, & their own persons, Families and Estates, but to annoy the Enemy in case it should be thought proper to attack them.

"*And Whereas* His Majesty hath been pleased to direct that I be very rigorous and severe in preventing any Provisions, Ammunition, or Stores of any kind from being carried to the Enemy, I do hereby declare, that in case any of His Majesty's Subjects, under my Government, shall be found carrying or transporting any provision, Ammunition, or Stores of any kind to, or holding any Correspondence or Communication with the Subjects of the King of Spain, they shall be most rigorously & severely prosecuted & punished for the same. And the Collectors of his Majesty's Customs, Naval Officers, & all other Officers whatsoever, are hereby required to be very diligent and circumspect in their several Stations, in order to prevent or discover such practices.

"*And Whereas* His Majesty hath been pleased to order that Letters of Marque or Commissions to privateers be granted in the usual manner, to distress and annoy the Enemy in their Settlements, Trade & Commerce, I do hereby invite all his Majesty's

Subjects under my Government, to receive the Benefit of this His Majesty's Order, by fitting out such Privateers, which may not only be greatly for his Majesty's Service, but very advantageous to the adventurers themselves. And I do hereby declare, that I will most readily give all the Encouragement & Assistance that in me lyes, to every such Undertaking.

"*Given* under my hand and the Great Seal of the Province of Pennsylvania, at Philadelphia, the fifth day of April, in the Second Year of his Majesty's Reign, And in the Year of our Lord, one thousand seven hundred & sixty two.

"JAMES HAMILTON.

"By his Honour's Command,
JOSEPH SHIPPEN, Junr, Secretary.

"GOD SAVE THE KING."

At a Conference held with Teedyuscung at Philadelphia, on Monday, the 26 April, 1762, the substance whereof is as follows:

PRESENT.

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Richard Peters,
Joseph Shippen, Junr, } Esquires.

Teedyuscung, Amos, his Son, Isaac Stille, Interpreter.

Teedyuscung visiting the Governor, when he was last in Town, vizt, on the 26 April, the Governor, in the Course of the Conversation, told him that he had seen his answer to Sir William Johnson, in which he acquainted Sir William that he expected to see him at Philadelphia in two Months, & that he depended solely on him & could trust to nobody else to hear his Complaints against the Proprietors, about the Lands in the Forks; And that this being so contrary to all his former Declarations, in which he had positively refused to go before Sir William, when urged to it by the Governor, or to have the matter heard by him, but still insisted that the Governor should hear it; He therefore desired to know what had given occasion to this change, & seeming inconsistency in his Conduct.

"Teedyuscung answered that he had lately received a Letter from the Governor along with that which Sir William Johnson had written to him. The Governor said that was true, but that his Letter had not the least relation to Sir William Johnson's, but was quite of another nature, & was only intended to inform him that Beaver and Shingass had sent him two Messages that they would come and hold a Treaty with him this Summer, to the end that if he thought fit he might be present at the said Treaty. That Sir William Johnson's Letter was not sent to him, the Governor, but to Mr. Peters,

who had forwarded it by David Seisberger, without one single word either from the Governor or Mr. Peters, in relation to the contents of it, it being expected that he would come to Philad[a] & consult with those friends in whom he confided before he returned an answer to it. Then Teedyuscung's answer to Sir William Johnson, sent by Seisberger, was read to him, which he acknowledged to be true, & seemed sorry for it, but said he had told the Governor before that he had received a Letter above a Year ago from Sir William Johnson, & had sent him an answer by two Indians, but that Sir William happened not to be at home. That this, however, would not make any difference, for that a Belt was sent to him by way of Shamokin, from the Ohio Indians, inviting Sir William to come to the Meeting that was to be held at Philadelphia. He then said that he did not want Sir William Johnson to hear the matter, & desired the Governor to send to him not to come, which the Governor absolutely refused to do.

Then Teedyuscung told the Governor that he was in fault as well as himself, for He had often been desired to hear the matter & give them satisfaction, but he had always declined it, And it had been a long time in agitation.

The Governor then explained the matter to him, and told him how the Proprietaries had been charged with Fraud and Forgery, and cheating the Indians of their Lands; And further that he, Teedyuscung, had said to the Governor, soon after the last Treaty at Easton "that he did never charge the Proprietaries with fraud, but had only said that the French had informed them that the English had cheated them of their Lands, and his young men desired him to mention it at the Treaty at Easton, & that he did it to please them, but that He himself knew nothing of the Proprietors cheating them, and was sorry it had reached their Hearts."

The Governor said further if they would publickly own this, he would not be against making them a present in Composition to their Circumstances, but not on account of the Lands which had been long since bought & paid for.

Teedyuscung said he would say the same in publick that he had said to the Governor in private.

Then being asked whether the Indians had ever conferr'd together about the Lands they said were never sold by them to the Proprietors, He answered that they had, & that they would be contented with £400; Isaac Stille then said this was a Bustle, indeed, and was all this Bustle about such a Sum as £400?

"Then the Governor said that as the matter was to be heard by Sir William Johnson, he desired Teedyuscung to take notice, that if it should appear that the Proprietors had not cheated them, and that the Land was really sold to the Proprietors, he would not think himself obliged to give him one farthing.

Teedyuscung and Isaac Stille talked some time together in Indian, and then Teedyuscung again desired the Governor would

write to Sir William Johnson not to come, but this the Governor again refused to do.

And so the Governor & Teedyuscung parted.

At a Conference held at Philadelphia the 4th May, 1762, with 3 Delaware Indians from Secaughcung, Relations of the Indian called Doctor John, who was found murdered in February, 1760, near Carlisle.

PRESENT:

The Hon'ble JAMES HAMILTON, Esquire, Lieutenant Governor, &c[a]

Joseph Fox and Richard Peters, Esquires.

Seconguepe, Naytowhiston, and Willaquontahiccon Indians.

"Brother:

"Now please to hear me; it is about two Years ago since I have been sorrowful; when I was grieved I hung my head, and did not look about; When I was in my Grief, I suddenly heard some good news, and felt my heart rejoice, and afterwards I heard bad news, and hung down my head again; Then I heard good news and was again rejoiced; I took notice whence that good news came, & found it came from Thomas McKee. Then I looked about towards Philadelphia, at the old Council House, where I saw my Brother sitting, and remembered how our Grandfathers used to do on such occasions, that when one found himself aggrieved, he used to inform the other of it, & perhaps he gave him something to comfort him. Now, that is the reason that you see me come here and stand before you; I have a mind to know the Truth of it; perhaps you only make a Game of me. It is something better than two Years since I lost my Flesh and Blood near Carlisle, & I heard that a Woman and a Child was alive, and I want to know if it be so.

A String of 8 Rows.

"Brother:

"As we came along, we called at Wighalousing, and told the Indians there what Business we were going upon, & they said it was just and right; since you lost your Flesh and Blood, & you was grieved, we have not seen you disturbed, but you do well to go and search the Truth, & they gave us this String to encourage us.

A White String of 3 Rows.

The Governor acquainted them that he was sorry for the melancholly occasion of their coming down, & that he would consider of what they had said, & return them an answer very soon.

MEMORANDUM. The 6th day of May, 1762.

The Assembly having Yesterday accquainted the Governor by two Members that the House being met pursuant to His Honour's

Summons, were ready to enter upon the Consideration of any Business he might have to lay before them, & desired a Copy of the Writt by which they were called together. The Governor sent by the Secretary the following Message, & one of his Writs which conven'd them:

A Message from the Governor to the Assembly.

"Gentlemen:

"I am sensible of the Inconvenience you are put to by being called from your Homes at this busy Season of the Year, and that too so shortly after your late very long and fatiguing Session; but the weight and Importance of the several matters which have occasioned it, and which I shall now communicate to you, will, I doubt not, satisfy you that both my Duty to the Crown, and a concern for the safety of the People under my Government, render it indispensably necessary.

"You will be pleased then to know that, within a few days after your last Adjournment, I had the Honour to receive from the Right Honourable the Earl of Egremont, His Majesty's Declaration of War against the King of Spain, with Orders that I should cause the same to be proclaimed in this Province, to the End that His Majesty's Subjects having notice thereof, might take Care to prevent any Mischief, which otherwise they might suffer from the Enemy, & do their duty in the several Stations to distress and annoy the Subjects of Spain; which Orders were punctually executed by me on the fifth of the last Month.

"The King (without the least Cause given on his part) being thus necessarily engaged in War with two very formidable Powers, for vindicating & preserving His just Rights & Possessions in America, it becomes more than ever our Duty, who are so nearly interested in the Event, to grant to his Majesty as large and ample Supplies as our Circumstances will admit of, and particularly to comply in the most effectual manner with his two Requisitions of the 12th of Decem^r last, some time since laid before You, that the Commander-in-Chief of His Majesty's Forces may be enabled to employ as great a number as possible of the Regular Troops in these parts, for prosecuting some great and important Enterprize against the Enemy, in order to reduce them to the necessity of accepting a peace on Terms of Glory & advantage to His Majesty's Crown & beneficial in particular to his subjects in America.

"It was likewise, Gentlemen, another principal Inducement to my convening you at this Time, that I might move You, without Loss of Time, to turn your thoughts on the present defenceless State of the Province in General, as well of this City in particular, and thereby afford you an Opportunity of providing for the Safety of both.

"The first care of every Legislature should be to secure the civil Establishment, by a wholesome and well regulated Military Force,

in order to give Strength and Duration to the Whole; otherwise, Liberty, property and all that is esteemed valuable amongst Men, must be held by a very precarious and uncertain Tenure, & be liable each Moment to be overturned, or made a prey of by every bold Invader. But as the many instances in which this Province is remarkably deficient in that respect, must frequently have occured to you in the Course of the War, and will again offer themselves on taking this Matter into Your Consideration, there is the least need for my descending to particulars, not doubting, but you will think it incumbent on you to use the best means in your power to guard the Inhabitants against so fatal a Disaster.

"The defenceless state of this City can scarcely be supposed a Secret to our Enemies, & it is much to be apprehended, that, exasperated by their repeated Losses and Disgraces, & fired both with a Thirst of Revenge, & the Hopes of so opulent and easy a Conquest, they may be induced to form attempts against it; which, with whatever Success they may meet with, cannot fail to throw us into the utmost Confusion, & of being attended with the most disagreeable Circumstances; I must therefore earnestly recommend it to you to provide, in the most effectual manner, for it's protection and Security, as well as for that of it's Commerce, on which the Wealth & flourishing state of the Province do, in a great Measure, depend.

"Having thus explained to you, Gentlemen, the reasons of my calling you together before the day of your Adjournment, and set before you the Situation of our Affairs at this dangerous Crisis, I have only to add, that, in my Opinion, the necessity of raising Supplies, not only for the purposes of His Majesty's Requisitions, but for the particular Security and protection of our own Colony, and it's Trade, were never greater, or more urgent, than at present.

"Hence you will allow me again to press upon you, in the most earnest manner, a full and effectual Compliance with the several Services, above pointed out and recommended to you, whereby you cannot fail, as well to entitle yourselves to His Majesty's favour, as to deserve the Thanks & acknowledgments of your Constituents.

"And in doing of this, I would willingly hope that you will carefully avoid whatever may have the least Tendency to occasion a Disagreement betwixt us, in respect to the Means by which either the King's Service may be prejudiced, or our good Intentions defeated.

"JAMES HAMILTON.

"May 3rd, 1762."

At a Conference held at Philadelphia the 6th May, 1762, with the Indians from Secaughcung, Relations of the Indians called Doctor John, who was found murdered in February, 1760, near Carlisle.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor.

Richard Peters, Esqr, Member of the Council.
Joseph Fox, Esqr, Member of Assembly.
Secongueppe, Naytowhisson, & Willaquontahiccon, Indians.

The Governor addressing himself to the Indians spoke as follows:

"Brethren:

"I have taken notice of every thing you said to me the day before Yesterday, and take your visit kindly.

"Brethren:

"The news you heard about the death of your Relation is but too true; Your Relation came with his Family, consisting of a Woman and two Children, in the Winter (two Years ago) into Cumberland County, and lived in an hunting Cabbin on the River Conedogwainet, near the Town of Carlisle, and he and one of the Children, a little Boy, were found murdered not far from the Town, & the woman with the other Child were missing; As soon as this came to my knowledge, I issued a Proclamation under the Great Seal of the Province, offering a Reward of one hundred Pounds for the discovery of every one who should be concerned in this cruel murder, and commanded the Magistrates to make very diligent enquiry after them every where, & in case any of them should be found, to commit them to close Goal that they might be brought to their Tryal, & if found Guilty, suffer death in the same manner as if they had killed an Englishman.

"Brethren:

"I likewise instantly dispatched Messengers with an Account of this melancholly affair as well to our Indian Brethren on the Ohio as to those who live on the Susquehanna, & with both I condoled and made the usual Presents, and had I known where the Relations of the deceased lived, I should also have made them acquainted with it.

"Brethren:

"Whilst there are wicked men in the World such accidents will happen both among White people and Indians, & some White People have been killed by Indians in several parts of the Province since the Peace, as well as a few Indians by White People, and that without any fault in those who conduct Publick Affairs on either side; These ought not to interrupt the Peace and Friendship that have been so happily restored between the English & Indians.

"Brethren:

"We commend you for your careful and peaceable behaviour after you heard this bad news, & thank you for this friendly visit.

"Brethren:

"I have related truly all that I know relating to this matter, and now with this String, I clear your Throats and take all grief from your heart."

A String.

"Brethren:

"With these Handkerchiefs I wipe away all Tears from your eyes."

Handkerchiefs.

"Brethren:

"With these Strowds I cover the Grave of your deceased Relations, & bury them so deep as that they may never be remembered more."

Strowds.

At a Council held at Philad^{a} on Monday y^{e} 10th May, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &ca.

Joseph Turner, Benjamin Chew, } Esq$^{rs.}$
Richard Peters, Thomas Cadwallader, }

The Governor laid before the Board a Letter received to-day from Sir Jeffery Amherst, inclosing a Letter from a French Merchant at the Cape, to Mons$^{r.}$ Boyrie, now in Town, which were read in these words:

[Blank of about one page in Council Book].

The Council was unanimously of opinion that an Embargo should be laid forthwith on all the Vessels in the Port, till further Orders; whereupon, a Warrant was drawn to the Collector of the Port of Philadelphia, and delivered to him, which follow in these Words:

"*Pennsylvania, ss:*

[*L. S.*] *By the Honourable JAMES HAMILTON, Esquire, Lieutenant Govr. of the Province of Pennsylvania, and Counties of Newcastle, Kent, & Sussex, on Delaware.*

"To Abraham Taylor, Esq$^{r.}$ Collector of his Majesty's Customs in the Port of Philad$^{a.}$ It having been represented to me by his Excellency Sir Jeffery Amherst, Command.-in-Chief of his Majesty's Forces in North America, that very full discoveries have been made, that some of the French King's Subjects have come to this

Continent, purposely to establish a Commerce, not only for supporting the Enemy's Settlements with provision, but likewise their Fleets and Armies that might arrive in the West Indies; And that having likewise certain Intelligence that great quantities of Provisions have been collecting in this Province, which can only be intended to be sent to the Enemy, He hath, therefore, (in order to put a stop to so infamous a Commerce, and to prevent his Majesty's Enemies from being supplied with Provisions from these Colonies), requested me to cause a general Embargo to be immediately laid on all the Ports within my Government, excepting for such Vessels as may hereafter be liberated by my particular Warrant or Order. I have, therefore, in compliance with the above mentioned request of the said Commander-in-Chief, and with the advice of the Council, thought proper to order and direct, and do hereby Order and direct, that an Embargo be forthwith laid upon this Port, and that you do not clear out at your Office any Ship or Vessel now in the Port of Philadelphia, or that may arrive in the said Port during the force of this Prohibition, or furnish them with the proper Clearances or other Papers that may enable them to depart this Province, without my special Warrant or Order for the same. Given under my hand & Seal-at-Arms at Philadelphia, this Tenth day of May, Anno Domini one thousand seven hundred and sixty-two, and in the second Year of his Majesty's Reign.

"JAMES HAMILTON."

—

A Warrant was likewise signed by the Governor under his Seal at Arms, to apprehend Monsr Boyrie and one Monsr Le Roy, a Subject of the French King, who was in the same Lodgings with Monsr Boyrie.

The Sheriff having apprehended the above Monsr Boyrie & Monsr Le Roy & seized their papers, they were brought before the Governor & Council and fully examined, and no Letters being found among Boyrie's papers which shew that he had given intelligence to or carried on any criminal Correspondence with his Majesty's Enemies since he came to this place, and the Letter from the Fereres Berby to him containing nothing more than a proposition to him to engage the Merchants at this & other places on this Continent to supply the French King's Fleets & Armies with provisions by means of Flags of Truce, which proposal it does not appear he had acceded to or taken any measures to carry into Execution, or even received the said Letter or any other of the like import. And Monsr Le Roy producing a passport from Admiral Forrest, (by which it appears that the said Monsr Le Roy had been taken a prisoner, and carried into the Island of Jamaica), allowing him to return to France, the Council advised the Governor to treat the said Monsr Boyrie & Le Roy as prisoners of War, & the Governor gave Orders

accordingly, & that they should not be permitted to go out of their Lodgings till his further pleasure.

At a Council held at Philadelphia, on Thursday the 13th of May, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieutenant Governor.

Joseph Turner, Benjamin Chew, } Esq^rs,
Richard Peters, Thomas Cadwalader, }

Yesterday the Governor received from the House for his Concurrence two Bills intitled as follows, which were this day read & approved, vizt:

"An Act for granting to His Majesty the sum of Twenty-three Thousand five hundred pounds for the purposes therein mentioned."

"An Act to enable the Trustees of the State House to purchase certain Lots of Ground, the remainder of the Square whereon the State House now stands."

MEMORANDUM. the 14th May, 1762, P. M.

The Governor received the following Message from the Assembly in answer to that he had sent to the House of the 3rd Instant, at the opening of their Sessions.

A Message to the Governor from the Assembly.

"May it please your Honour:

"On our first Meeting at this inconvenient season of the Year, We immediately took into Consideration your Message of the third instant, and with the utmost Dispatch, have presented to your Honour a Bill for granting to his Majesty the sum of Twenty-three thousand five hundred Pounds, for the Protection of the City of Philadelphia, and other purposes, for His Majesty's Services.

"As to the Requisitions of the 12th of December, laid before our House at their last sitting, and again repeated in your present Message, give us Leave to remind your Honour that we, at that Time, presented you with a Bill for that purpose, to which you were pleased to refuse your assent; the answer to the Reasons offered in your Message for refusing to pass that Bill, are contained in the Report of our Committee approved of by the House, with a Copy of which we shall furnish you.

"To which we beg leave to add, that had your Honour accepted the Aids offered, the Men, probably, might then have been raised,

and his Majesty's Service received the Benefit intended from them; since which, such as were then likely to inlist, have engaged in Contracts for the Season, & the Province has been so drained of Men by the recruiting parties of the Crown, & neighbouring Governments, that we now apprehend, should we grant the Aids required, there would be no possibility of raising the Men.

"And as to the Requisition relating to Recruiting His Majesty's regular Corps, we find no reasons to alter our Sentiments thereon, communicated to Your Honour in our Message of the Seventeenth of March last, to which we beg leave to refer.

"Signed by Order of the House.

"ISAAC NORRIS, Speaker.

"May 14th, 1762."

The Governor then returned to the House, by the Secretary, the two above mentioned Bills, with a Verbal Message that His Honour agreed to them, & was ready, in the Council Chamber, to enact the same into Laws, for which purpose he required the attendance of the Speaker and the House.

Soon after, the Speaker, and the whole House waited on the Governor accordingly, in the Council Chamber, where His Honour passed those two Bills into Laws, & signed a Warrant to affix the Great Seal to them.

Then the Speaker delivered to the Governor the following Report of the Committee on the Governor's Messages of the 23rd and 25th of March last, relating to the Supplies then offered, viz[t]:

The Report of the Committee on the Governor's Messages.

"In Obedience to the Order of the House, we have taken into Consideration the Governor's Messages relating to the Bill for granting Seventy thousand Pounds to His Majesty's use, and notwithstanding the Pains the Governor has taken in both of them, to demonstrate a design in the Assembly of infringing 'the just, legal, and essential Powers of Government,' of inflicting a deep and severe 'Wound on both the executive and legislative part thereof, and of depriving His Majesty of all Benefit from their own Grant,' which he is pleased to call a 'nominal One'; when their Conduct in this respect is impartially weighed, your Committee conceive those high Charges will vanish, and the whole Censure, with all the ill Consequences attendant on his refusal of the Supplies, can be imputed, with propriety, to none but himself.

"Your Committee also conceive the Representative Body of the people have no motive to deviate from their duty in the Mode of granting Supplies to the Crown, none to wound the Constitution, or to triffle with His Majesty by offering him 'nominal Grants,' with a design at the same time 'of depriving him of all Benefit therefrom;" they have no attachment to private Interest to interfere

in this respect, no Instruction from Individuals to restrain their Understandings, nor any inducement, but the service of the Crown, & the Welfare of the Subjects, arising from the free and unfettered Exercise of their Reason and Judgment. It is their undoubted Right to grant Supplies in their own Way, so as to be least oppressive & injurious to the people, on whom they are to be levied. This Your Committee apprehend they have done, in such manner as by no means merited the severe Animadversions made on their Conduct by the other Branch of the Legislature.

"But more particularly to consider the Governor's Objections: the first is that there is no Clause in the Bill by which 'the Governor's Consent and approbation is made necessary to the Issue and application of the Money to be raised by Virtue thereof.' How groundless this Objection is, will readily appear from the Words of the Bill, which directs that certain Commissioners therein named, 'or a Major part of them, with the Consent & approbation of the Governor, shall order and appoint the Disposition of the Monies arising by Virtue of that act.' From the natural and common Import of these Expressions, 'the Governor's Consent and approbation' are made necessary to the Issue and application of the money granted by the Act; for we see no Difference between 'the Issue and Application' of Money, and the 'ordering and appointing the Disposition' thereof, which, by the express Words of the Bill, was to be done 'with the Consent and approbation of the Governor.' This appears so self-evident, that we cannot think it necessary to make any further Remarks thereon.

"The Second Objection appears to us as unreasonable as the first was Groundless. The Governor insists that a Clause should be inserted in the bill, 'that the payments by the Tenants to the Proprietaries of their Rents, shall be according to the Terms of their respective Grants, as if such Acts had never passed.' Here your Committee beg leave to remark, that as the Proprietaries Contracts for Quit Rents, and many Ground rents reserved, & other Contracts amongst private persons, are made in the same Terms, there appears no Reason why the former should have been particularly exempted in our late Bill of the same Tenor with all the other paper Money Acts of this Province, which, though they are as much affected, the Interest of every Inhabitant of Pennsylvania, under like Circumstances, were both assented to by the Proprietary Governors, & confirmed by the Crown. And your Committee are of Opinion, with the House, that all Contracts & Property of the same Nature, within this Government, ought to be equally secured by its Laws, since a Depreciation of our Currency must otherwise necessarily ensue, to the great Loss of the British Merchants trading hither, and of the whole Province; yet the Clause so repeatedly insisted on by the Governor as a necessary part of our Bill, besides the partial Exemption it contains of the Proprietary Contracts, must tend to produce this Depreciation of the Currency, which it

ought to be the principal Concern of every person, engaged in the Administration, to guard against & prevent.

"And, as to the last objection, we are at a loss to remark particularly on it, as the Governor in neither of his Messages has been explicit enough to enable us to discover his Meaning with Certainty. In his first he contents himself with hinting (by inserting a Transcript from a late Report from the Board of Trade) that the Bill contained 'Things which are, in their own Nature, totally separate,' but leaves the House the Task of guessing what those things are. In his second Message he is a little more plain, & has enabled us to discover that the several Matters he conceives to be totally foreign to the Supplies granted to the Crown, are 'the debts chargeably to the Province,' and made payable out of the Monies offered by the Bill, Upon perusal of which we find the purposes, the Expence whereof was to be defrayed thereby, besides the Cloathing & paying a thousand effective Men (Officers included) for the King's Service, were:

"First. Certain Purposes mentioned & contained in an Act of Assembly intituled 'An Act for appointing certain persons therein after named, to apply for and receive the distributive Shares and Proportions which are or shall be allotted to this Province, out of the sum and Sums of Money granted, or to be granted by Parliament to His Majesty's Colonies in America,' which were to be defrayed, by the Tenor of the Bill, out of the same Fund from which the supplies were offered. These Purposes were principally Debts due from the Crown, one of them to defray a Debt due to the Persons whose Servants were inlisted by His Majesty's recruiting Officers; Another to pay a Debt due to the Tavern-keepers on whom His Majesty's Soldiers were billetted, without receiving an adequate Compensation for the same; A third for the payment of the Governor's Judges and other Certificates due to Persons concerned in the Administration of Government; A Fourth and Fifth to pay a thousand Pounds given towards opening the River Schuylkill, & three thousand Pounds for supporting the Pennsylvania Hospital; but to all these Purposes the Governor had given his Consent by the before-recited Law, so that we cannot suspect that any Objection would arise to the re-enacting in this Bill what he had before so fully & effectually assented to.

"The other purposes are particularly expressed in the Bill; one of them was 'for the support of such of the late Inhabitants of Nova Scotia as were real Objects of Charity,' and sent into this Province by His late Majesty's military Officers; another for the payment of Certificates for Salaries of Officers, & other incidental Charges of Government; A Third for paying and sinking certain Provincial Notes which had been issued for the use of the Crown; and a Fourth for paying for Two hundred Copies of Laws to be given to the Proprietaries, the Governor, Assembly, and the several Officers of Justice within this Province; and a Fifth towards

defraying the Expence of a Treaty expected to be held with the Western and Northern Indians; All of them Purposes to which the Governor had before given his assent by the above recited Law, or for the payment of Debts arising from a Grant heretofore made to the Crown, or for the immediate use of his Majesty or His Officers of Government.

"Upon the whole, your Committee conceive the first of the Governor's Objections is expressly supplied by the Words of the Bill; that the second is so unreasonable, and full of ill Consequences to the Welfare of the Province, that no Legislature ought to comply with it; and that the Third can by no Means have any Weight, when it is considered that the Purposes he is pleased to call 'totally seperate in their own Nature,' are either such as he has expressly approved of by a Law now in Force, or for the Service of the Crown; which is nevertheless submitted to the House, by

"Joseph Fox, Edward Pennington,
"Joseph Galloway, Henry Wynkoop,
"Samuel Rhoads, John Morton."

The Governor then acquainted the speaker that he was unwilling to detain the House any longer at this busy Season of the Year, but if he should find it necessary to make any Observations on their Report he would send a Message to them at their next Meeting.

The House adjourned to the 6th day of September next.

At a Council held at Philadelphia on Saturday the 12th day of June, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &ca.

Benjamin Shoemaker, Benjamin Chew,
Richard Peters, Thomas Cadwalader, } Esq^rs.
Lynford Lardner,

The Governor laid before the Board an Extract from the Votes of the House of Assembly signed by the Speaker, which is in the following Words, vizt:

"In Assembly, March the 24th, 1762.

"*Ordered*,

"That Mr. Speaker, the Provincial Commissioners, Samuel Rhoads, Edward Pennington, Giles Knight, John Moreton, Isaac Pearson, James Wright, David McConoughy, William Allen, & John Potts, be a Committee of this House to attend the ensuing general Treaty to be held by this Province with the Northern & Western Indians."

"In Assembly, May 14th, 1762.

"*Ordered*, That the Committee appointed to attend the ensuing General Treaty to be held with the Northern and Western Indians do inspect the Council Books and Minutes of Property, and furnish themselves from thence with such Minutes & Records as may be necessary and serviceable at the said Treaty, for the better settlement of the Indian Complaints against this Province, with respect to the Lands claimed by them.

"Copy from the Minutes.

"ISAAC NORRIS, Speaker."

Which being read, the Governor informed the Board that the Committee who came with the above paper desired that they might have access to the said Council Books, and Minutes of Property. That this being a matter of importance, he had conven'd them for their advice & opinion upon it.

The Council took this matter into Consideration & were unanimously of opinion that the Assembly had no legal or constitutional Power or Authority to inspect & examine, or order to be examined, the Council Books, which are not Records, & contain Minutes of the Proceedings of the Proprietary Privy Council, who are only advisers in matters of State & Government, and that the House had by their Order usurped the Rights of Government, & assumed unwarrantable powers; wherefore they advised the Governor to reject their application as to the Minutes of Council; but as to the Minutes of Property, they were of a Public Nature, & any Persons might have access to, and be furnished with Copies from them. The Governor produced the Opinions of the late & present Attorney General of England, which supported the above Opinion of the Council. The answer proposed to be returned to the said Committee was then settled & follows in these Words:

"Gentlemen:

"I have taken into Consideration the Paper you delivered me Yesterday, under the hand of the Speaker of the House of Assembly, by which it appears that the House have taken upon them to order the Committee appointed by them to attend the ensuing Treaty with the Northern & Western Indians, to inspect the Council Books & Minutes of Property, & to furnish themselves from thence with such Minutes & Records as may be necessary and serviceable at the said Treaty for the better Settlement of the Indians' Complaint in this Province, with respect to Lands claimed by them; and I must inform you that I am well advised the Assembly have no legal or constitutional power or Authority to examine the Council Books, or to require Copies from them, wherefore I can by no means consent by laying open the Council Books to You to submt to the right the House has assumed to themselves in mak-

ing the above Order. As to the Minutes of Property, they are of a Public Nature, & you shall be furnished from them with any Copies you desire.

"JAMES HAMILTON.

"June 12th, 1762."

[Here is a Blank in Council Book of fifty pages.]

At a Council held at Philad^{a}, on Friday, the 6th Aug^{t}, 1762.

PRESENT:

The Hon'ble. JAMES HAMILTON, Esquire, Lieuten^{t} Governor, &ca.

Richard Peters, William Logan, } Esquires.
Thomas Cadwalader, }

The Governor acquainted the Council that in Consequence of several Invitations made by the Government to the Delaware Indians settled above the Ohio, since the conclusion of the Peace between us & them, to come to Lancaster & renew and brighten the Chain of Friendship, and to deliver up all the English Prisoners among them, He had received information that a number of the Chiefs & others of that Nation had arrived at Harris's Ferry with Prisoners, on their way to Lancaster for that purpose, and the Governor desired the Company of the Council to attend him thither.

Minutes of Indian Conferences held at Lancaster in August, 1762.

At a Council held at Lancaster, on Wednesday, the 11th Augt 1762.

PRESENT.

The Honourable JAMES HAMILTON, Esquire, Lieut^{t} Governor.

William Logan, Richard Peters, } Esq^{rs}
Benjamin Chew, }

The Governor having been informed last Week, at Philadelphia, that, in consequence of several Invitations sent them by this Government, at sundry times, to the Indians living on & near the Ohio, the Delaware Chief, Beaver, and the Deputies of other Tribes of Western Indians, would be at Lancaster on the 8th Instant, sat out from Philadelphia, attended by several Gentlemen, & came here on the 9th Inst., & found that the Indians had arrived the Evening before.

On the 10th, the Governor, attended by the Gentlemen above mentioned, with several of the Inhabitants of this Town, paid a visit to Beaver & the other Indians, at their Encampment, about a Mile from the Town, where he took them by the Hand & bid them heartily welcome, & having seen that they were well accommodated, took his Leave, and came back to town.

The Governor yesterday afternoon received a Message from Beaver, that, having been a long time from home, they would take it very kindly if he would be pleased to open the Conferences with them to morrow Morning, without waiting longer for the Six Nations, as he & those Indians with him were the first invited, & were only made acquainted with the coming of the Six Nations since they left their Homes.

The Governor returned them for answer, that the Interpreter was not come, but as soon as he should arrive, he would immediately proceed to Business with them, & give them notice when to attend.

This afternoon arrived Six Tuscarora Indians, who waited on the Governor, & acquainted him that they were sent to him by those of their Nation living on Onohoquage, on the Upper Waters of the Susquehanna, with a Letter which, after the Ceremony of opening his Eyes and Heart by a String of Wampum, they delivered to him & follows in these words:

"Lower Tuscarora Onohoquage, July 8th, 1762.

"Great Brother:

"I, the Beaver *Augus*, Chief of the Nation, am and ever have been a friend & Brother to the English & to the Interest of Great Britain, now wait upon your Excellency by agreement, to transact Affairs of importance; and heartily rejoice that the five Nations have agreed (& as I hear), have actually returned the English Prisoners to enjoy the Liberties of their own Nation; And I, the said Augus Chief, with my whole Tribe, have ever been for peace with the English Colonies in America, & have minded the things of religion and of a private Life; and as a true friend to the protestant Cause, We congratulate your *Excellency*, our Brother, and all the British Nations, on the various Conquests obtained against the common Enemy, & especially on the total reduction of *Canada*, with its dependencies, being greatly delighted with the happy prospect that now arises without Clouds; As we rejoice to hear that the prisoners are resigned, so we hope a peace will be established between us, the five Nations, & the English Colonies on the Continent, a peace that shall be lasting & undisturbed, while the Waters run and the Grass grows. We should be glad to be informed of the State and Behaviour of our Brethren in *Tuscarora Valley*, & to have some directions about the way, as we propose to make them a

visit, & also should be glad of a pass or recommendation, in writing, that we may be friendly received on the way and at the Valley.

"I am Your Brother,

"AUGUS, Chief."

"The above was taken from the Mouth of the said *Augus*, Tuscarora Chief, by the help of an Interpreter by me.

"ELI FORBES,

"Missionary at Onohoquage."

After the Governor had read the Letter, they delivered him a Belt of Wampum to confirm the sincerity of their professions contained in the said Letter.

They then delivered the Governor another Belt from the Nantikokes and Conoys, as a testimony of their joining the Tuscarora's in the same sincere professions.

The Governor acquainted them that he would take the Letter into Consideration, & at a proper time return them an answer.

At a Conference with the Indians, held at Lascaster, on Thursday the 12th August, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieut^{t}. Governor, &ca.

William Logan, Richard Peters, and Benjamin Chew, Esquires, of the Council of the Province.

Joseph Fox, George Ashbridge, James Wright, Saml. Rhoads, James Webb, Esq^{rs}., of the Assembly, & several Magistrates, & a number of Gentlemen from Philad^{a}. & other parts of the Province.

Tomago, or Beaver,
Wendocalla,
Tissacoma,
} Chiefs of the Ohio Delawares, and twenty-two others, most of them Warriors.

Akis,
Lenascokana,
Enasquana,
} Chiefs of the Tuscaroras.

Miskepalathy, or red Hawk,
Wapemashehawey, or White Elk,
Magalakutway,
} Chiefs of ye Shawanese & 10 other Warriors.

Cakakey,
Micathie,
} Chiefs of ye Kickapoe Nat^{n}.

Teacott,
Wiougha,
Weatona,
} Chiefs of the Wiwachtanies.

Paughâwe,
Cottalinnea,
Nenaouseca,
Sawnaughakey,
} Chiefs of the Twightwee Nation.

Isaac Stille,
Frederick Post,
} Interpreters.

After the Indians had taken their Seats the Governor opened the Conferences with the following Speech:

"Brethren, the Delawares, Shawanese, Twightwees, Wawaghtanies, Tuscaroras, and Kickapoes:

"With this String I clean your Bodies from the Dust & Sweat, and open your Eyes and Ears, that you may see your Brethren with chearfulness, & hear distinctly what I have to say to you at this Conference."

A String (480).

"Brethren:

"With this String I open the passage to your hearts, that you may speak freely and without reserve, as Brethren ought to do when they meet together."

A String (260).

"Brethren:

"It is now a great while since we had the pleasure of Meeting one another in Council, Wherefore I take this opportunity of Condoling with you for the Losses you may have sustained by the death of any of your people; and with this String I gather up the Bones of our deceased Brethren & bury them decently, according to the Custom of our forefathers."

A String (460).

"Brethren:

"With this String I disperse the dark Clouds, which for many Years have hung over our heads, & prevented our seeing each other, that we may, for the future, meet and confer together, as our fathers used to do, and brighten & renew the Covenant Chain of Friendship for our Mutual Benefit & Advantage."

A String (300).

"Brethren:

"As the Council Chamber hath contracted much dust for want of use, for some Years past, & hath also been stained with Blood, I, with this String, sweep it quite clean, and wipe all Blood from off the Seats, that we may sit and confer together without seeing any thing to interrupt us or make us uneasy."

A String (280).

"Brethren:

"Having now wiped your Eyes, opened the way to your hearts, & cleansed the Council Seats, I, by this Belt, take you by the hand

& bid you heartily welcome, and assure you that I am ready to do every thing in my power to strengthen and preserve that Brotherly Love and Friendship which so long subsisted between your Ancestors & His Majestie's subjects of this Government."

A Belt.

The Governor then told them that he had finished what he had to say to them at present, and that if they were prepared to speak to him at this time, he was ready to hear them; if not, he would appoint another time for that purpose.

Beaver, the Chief of the Delawares, then spoke to the Governor, as follows:

"Brother:

"We all rejoice to hear what you have said to us, and are glad that you have cleansed us, & have spoke to us in the manner which our forefathers used to do to one another. As we speak different Languages, We shall be glad of an Opportunity of consulting among ourselves, and shall deliver what we have to say to you to Morrow Morning."

At a Conference with the Indians held at Lancaster on Friday the Thirteenth of August, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &ca.

William Logan, Richard Peters, Benjamin Chew, Esquires, Members of the Council.

Joseph Fox, Saml. Rhoads, James Wright, John Morton, Esq^rs, of the Assembly.

The Chiefs and Deputies of the several Nations of Ind^ns as before.

The Governor having told the Indians that he was ready to hear them,

Beaver the Delaware Chief, spoke as follows:

"Brother:

"I have heard what you said to me Yesterday, and am well pleased with it. You have cleansed me, opened my Eyes, and cleansed my Ears in the same manner as our Forefathers used to do. You will now listen to me attentively; with this String I also open your Eyes & clean your Ears, that you may see & hear what I have to say to you."

A String.

"Brother:

"When our Grandfathers used to meet together, they wiped the Tears from one another's Eyes, & with this String I now wipe the

Tears from yours, that you may see clearly your Brothers now before you."

A String.

"Brother:

"When our Grandfathers used to meet our Brethren, they cleansed each others Hearts & took away all Grief & Sorrow out of them. By this String I do likewise clean your Hearts, & remove all Sorrow & Grief from them, and strengthen your Breath, that you may speak more freely to your Brothers here before you."

A String.

"Brother:

"It is a great while since we saw one another; we here present are really very glad to see you and all our Brethren well. It is about four Years ago since we first received any Messages from you, & ever since we have been employed in carrying good News to all the Nations round, who were rejoiced to hear it from you. And we have been likewise ever since endeavouring to bring in your Flesh and Blood, as you required it of us. Mr. Crogham, and the Commander at Fort Pitt, know that we have delivered many of them, & now we bring a few more of them to you. There are some behind yet, and they meet with good Usage, and live as we do, and chuse to stay with us, but I hope they will come to you after some time, because you live better than we do."

A Belt.

"Brother:

"I heard you Yesterday and was much rejoiced to hear you, as were all your Brethren here present. You told me you had removed all the dark Clouds that hung over us; I am rejoiced that the dark Clouds are dispersed so that we can see one another clearly.

"By this Belt, I do, on my part, disperse the Clouds. Now, Brother, let us join heartily & put our hands together to put away the Clouds.

"If we should see the Clouds rise again let us join to remove them, & keep peace together, so that our Children and Grand Children when they meet may rejoice to see one another, and live to great Ages in peace."

A Belt.

"Brother:

"We are rejoiced to see one another; all the dark clouds are now scattered, and the Sun shines clear upon us and all the Nations who are our Friends. We see plainly that good Road which our Grandfathers used when they travelled to your Council Fire, to consult about our Affairs when we lived in Friendship.

"Brother:

"We will join with you to keep that Road open and good, I assure you it was never yet quite Stopt up; We find our old Council

Fire, which our Grandfathers made, is still burning; Now, by this Belt, I collect dry Wood to put to the Fire and make it bigger, so that the smoke may rise to the Skies; when other Nations see it they will know by the light that I have been in Council with my Brethren."

A Belt.

Beaver then got up, & holding a Belt in his hand, said:

"This Belt we received last Fall from Sir William Johnson, at Fort Detroit, who then informed us that he had heard of the good work of peace in which we had been engaged with our Brethren, the English, which Belt represents us, the Delawares, in the Middle, & the Western Nations of Indians at one end, & the English at the other, Hand in Hand together, holding fast the Chain of Friendship, & assured us that if we held this Chain of Friendship fast, our Children & Grandchildren should grow up and live to great Ages. We were so pleased with this that We put it into our Hearts, and have always kept there till now."

"And now, Brother, You have heard from me what passed between Sir William Johnston & me. I assure you I will actually do what was desired of me, and hold fast this Chain of Friendship; I assure you I will always do my part in keeping this Friendship firm, & the Nations to the Westward will do the same. I desire all you, my Brethren, will be strong, & join heartily in keeping this Friendship alive, which, if you do, you and your Grand Children shall arrive at a great age."

A Belt.

"Brother:

"I desire you will take Pity on those of our Brothers that live or come amongst You, & be kind to them; Our Brethren live among you because they love you; When any of our Brothers, the English, come amongst us, we always take pity on them, and give them Victuals, to make their Bodies Strong, and we desire that you will do the same to such of us as come amongst you, or live with you".

A Belt.

"Brother:

"I have no more to say at present; I shall wait to hear what you have to say to us at another time. You desired me to bring other Nations of Indians with me, and I have brought them a great way, who also wait to hear what you have to say."

The Governor then acquainted Beaver that he was well pleased to hear what they had said to him, and that he received it into his Heart, and should take a proper Opportunity to give them an answer.

The Governor rose and went to the place where the English Prisoners sat, and received them, one by one, from the hands of King Beaver, and here follow their names:

Thomas Moore,	taken from Potowmack,	Maryland.
Philip Studebecker,	Conegocheague,	Ditto.
Ann Dougherty,		Pennsylvania.
Peter Condon,		Ditto.
Mary Stroudman,	Conegocheague,	Ditto.
William Jackson,	Tulpehoccon,	Ditto.
Elizabeth McAdam,	Little Cove,	Ditto.
John LLoyd,	Ditto.	Ditto.
Eleanor Lancestoctes,		Ditto.
Dorothy Shobrian,	Big Cove,	Ditto.
Richard Rogers,		Virginia.
Esther Rogers,		Ditto.
Jacob Rogers,	South Branch,	Ditto.
Archibald Woods,		Ditto.
Christopher Holtomen,		Ditto.
Rebecca Walter,		Ditto.

Hans Boyer, a Boy, not known from whence.

—

Friday, August 13, 1762.

This afternoon Tokahaion, and a number of the Six Nation Indians coming to Town, about Fifteen of them waited on the Governor at his Lodgings, & Tokahaion spoke to the Governor as follows:

"Brother:

"We were some time ago invited by you and our Brethren, the Quakers of this Province, to come to this Treaty at Lancaster, with our Cousins, the Delawares. Agreeable to this Invitation, we came down as far as Harris's Ferry, where we heard that you intended to return Home to-Morrow, which induced us to make all the haste we could to this place, that we might have the pleasure of seeing you. On our Way one of our Brethren died, but our hurry was so great that we threw his Body aside, and did not so much as stay to bury him. We are just come to Town, and pay you this Visit to take you by the hand, and let you know we are glad to see you; We must request of you to order your People to lock up all Rum, and not let our Indians have any 'till the end of our Conferences. He added that they had seen the Cabbins which had been built to accommodate them, but that they were at so great a distance from the place where their Cousins, the Delawares, were lodged, that they could not conveniently discourse with them, wherefore he desired that others might be provided near to them to-Morrow.

The Governor took them by the hand, and after bidding them welcome, told them that they were misinformed respecting his designing to return home to-Morrow, that as he heard they were on their way, he had waited some days in expectation of their Coming,

& was now glad to see them; that he would do every thing in his power, during their stay here, to render their Situation easy & agreeable to them, and would give strict Orders that no Rum should be sold to them; that the Field where the Delawares were encamped, being too small to accommodate them, he had pitched on a place which he judged most convenient, where Cabbins had been built by his order for their reception, at a considerable Expence of Time and Money, which he hoped they would be well pleased with; but if, on Tryal, they should still be dissatisfied with that Situation, he would remove them where they thought most proper; and that when they had rested themselves, after the fatigues of the long Journey they had come, he would speak to them, and give them sufficient Notice of the time, that they might be prepared to meet him in Council. They were refreshed with a Draught of Beer, and then took their Leaves, and departed.

At a Conference with the Indians, held at Lancaster on Saturday the 14th of August, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esq$^{r.}$ Lieuten^{t} Governor, &ca.

William Logan, Richard Peters, } Esq$^{rs.}$ of the Council.
Benjamin Chew,

Joseph Fox, John Morton,
James Wright, George Ashbridge,
Samuel Rhoads, Joseph Gibbons, } Esq$^{rs.}$ of the Assembly, &ca.
David McConaughy,

The Western Indians, as before.

Kinderuntie, or the Garr,
Hogastees, } Senecas.
Hajentora, Speaker, &ca.,

Tokahaion,
Totinyentunya,
Onechsogaret,
Gachradodo, } Cayugas.
Soghiowa,
Dochneghdoris, or John Shacalany,

Diohaguaande,
Hoghsetagegle, } Onondagoes.
Cagentorongua,

Thomas King,
Conogoragheri, or Hans George, } Oneidas.
Tiokoraghta,

Ganigal, Tionaskocto—Tuscaroras.

Teedyuscung,
Tapeskohonk, or Samuel,
Wehololahund, or Joseph Pepy,
Memenowal, or Augustus,
Kakolopomet, or Compass,
Naywolaken,
Penowotis, or John Philip,
} Delawares.

Ullauckquam, or Rob. White,
Olaykenawighttamen, or Jemmy,
Canahatch, or Last Night,
Tuchsar, or Sam,
Packsowamuchquis, or Charles,
Packetallam, or Sam Adams, and several others,
} Nantycokes and Conoys.

A List of the Northern Indians, including Men, Women, and Children, at the Treaty at Lancaster, August, 1762.

Oneidas,
Onondagoes,
Tuscaroras,
Nanticokes,
Conoys,
} 156.

Senecas, 97.
Cayugas, &
Saponys, &
a Mixture of
Shawanese & Munseys.
} 128.

Teedyuscung, and the Delawares with him, 176. In all, 557.

The Governor sent a Message to the Six Nations, & those that came along with them, to acquaint them that he was going into Conference with the Western Nations, at which they might be present if they pleased; and on their coming in & taking their Seats, the Governor spoke to the Western Indians as follows:

"Brethren:

"The Delawares, Shawanese, Twighttwees, Wawachtamies, Tuscaroras, and Kickapoes.

"I return you thanks for your Speeches of Yesterday, which were very agreeable to me; and I shall now give you an answer to such parts thereof as require one.

"Brethren:

"Before I take notice of what you said Yesterday, let me remind you of the strict Friendship which was established with your Forefathers by our old Proprietor, William Penn, on his first arrival in this Country, & how happily it subsisted between them and their Children, till the troubles which unfortunately broke out some Years ago, and stopt up the Road between us; The many Messages which we have since, from time to time, sent you by Frederick Post and Teedyuscung, and the great Pains we have taken to drive away the evil Spirit, plainly shew how sincerely we have been disposed to renew that Friendship.

"Brethren:

"You acquainted me that after receiving our first Message about Peace, which was about four Years ago, you made it known to all the Indian Nations on this side, and over the Lakes, who were glad to hear the good News, and as we desired you to deliver up our Flesh & Blood, you say that you have, from time to time, delivered up many at Fort Pitt to the Commanding Officer, and to Mr. Crogan, and that you have now brought in a few, which you delivered to me Yesterday. You likewise say you have yet others in your Possession, & that some of them chuse to live with you; but you made no doubt of their coming to us, some time hence, as we live better than the Indians.

"Brethren:

"For the Prisoners that you have delivered at Fort Pitt, as well as for those you have now brought along with you, and delivered to me, I return you my hearty thanks; but you must remember that on reestablishing and renewing the ancient Chain of Friendship with us, you repeatedly engaged to deliver us all our Flesh and Blood, which you have taken from us by the instigation of the Evil Spirit. On these assurances and engagements we have relied, and as we cannot enjoy the blessings we expected from that peace, till the parents and relations of those prisoners have them restored to them, I must insist on your taking every measure in your power to deliver them up, agreeable to your Engagements, which will be the only means of strengthening and establishing a lasting peace to us and our Children yet unborn."

A large Belt of 13 Rows.

"Brethren:

"You Yesterday, by this Belt, said you would join with me in dispersing the dark Clouds which have for some time hung over our head; and desired I would join with you, in hearty endeavours to prevent any more Clouds from rising, or if they should chance to rise, from coming to an Head.

"Brethren:

"God, who made all things, has given us Eyes to see and Tongues to speak to each other, freely and openly; and I assure You if I should see any little Clouds arise, at never so great a distance, I will take every measure in my power to prevent their encreasing & communicate it to you forthwith; and if you do the same to me at all times, it will prevent any Clouds from gathering to an head, so as to disturb the Public Peace & Tranquility, which have been lately so happily established between us."

A Belt of Seven Rows.

"Brethren:

"It gave me great satisfaction Yesterday, to hear you declare your Intentions to keep open the Council Road between your Na-

tion & us. As a small Interruption on that Communication may be attended with dangerous Consequences to us both, I heartily join with you in keeping the Road open & perfectly clear from Obstructions, for our mutual use and advantage.

"I likewise take it kind in you to heap up dry Wood on our Council Fire, and I, on my part, shall still add more Wood to it, that the smoke thereof may be seen by the most distant Nations of Indians, to the sun setting, that are in Friendship with his Majesty's Subjects."

A Belt of 9 Rows.

"Brethren:

"Yesterday you shewed me a Belt with the figures of three men in it, which you say you received from Sir William Johnson, last fall, at the Conference he held with all the Western Nations of Indians at Fort Detroit, repeating what he said to you on it, all which Transactions there I am acquainted with, by Sir William Johnson, who, as His Majesty's Superintendent of Indian Affairs, did then renew the ancient Covenant Chain of Friendship, in behalf of all His Majesty's Subjects, with all those Western Nations of Indians. You say further, that since you received that Covenant Belt, you laid it close to your Heart; and by this Belt you assure me that you, and all the Western Nations, are determined to adhere strictly to that Treaty and renewal of Friendship; and desire me to be strong & hold it fast.

"Brethren:

"You must remember that you then not only promised Sir William Johnson to deliver up all our Flesh and Blood who were prisoners in your several Towns and Countries, But that this promise was an express Condition of that Treaty, made between him and you. This matter lies so near to my Heart that I should not act as your true and sincere friend, if I did not speak with the greatest freedom & plainess to you about it, and tell you again that it is impossible we can look upon you as our Brethren, if you detain from us our Flesh and Blood; we cannot sleep quietly in our Beds till we see them all; our very Dreams are disturbed on their account; we demand of you nothing more than the right which God and Nature has given us.

"If we had among us ever so few of your Children, would you think that any professions of friendship we could make to you were sincere, if we withheld them from you but for one Day? Your Brother Teedyuscung, may remember that at our first confering with him, at Easton, we had then one of your people in prison, and he thought it so grievous a thing, that he told us he could not speak freely to us, & should look upon what we said as coming from not our Hearts, but from our Mouths only, until the said prisoner was restored to him, which was immediately done. Can you then delay doing us that Justice which you yourselves expected & received

from us? We do not well understand your meaning, when you say some of the Prisoners chuse to live with you. If you intend it as a reason for not delivering them up, till they consent to come, we must inform you that we cannot admit of it. They were born Subjects of our Great King, & as such he has a right to demand them. You have, it is true, by the delivery of some of the Prisoners, performed your Agreement in part, but as we know, and you acknowledge, there are a great many yet behind, we now insist positively, that you do not fail, immediately on your return, to collect every one that remains among you, & deliver them up to us. Relying, therefore, on your honesty, & that You will faithfully comply with an engagement you have so solemnly made with us, I do, by this Belt, in behalf of all his Majesty's Subjects of this Province, lay hold of that Covenant Belt, and will keep it fast, that we, our Children & Grand Children, may long enjoy the blessings of Peace, and live together as Brethren till they are old men."

A Belt of 15 Rows.

"Brethren:

"I thank you for the kind entertainment which you always give to any of our people who live with you, or come among you. I am persuaded that such of you who have either lived or come amongst us occasionally, have always found that we received & treated them with the same kindness that we used to do. We are Brethren, & while we live & love like Brethren, we shall be sure to give one another a Share of what we have."

A Belt.

At a Conference with the Six Nation Indians, held at Lancaster, on Monday, the 16th August, 1762.

PRESENT:

The Honble JAMES HAMILTON, Esquire, Lieut^{t} Governor, &ca., &ca., as before.

The Governor, addressing himself to the Indians present, spoke as follows:

"Brethren of the Six Nations, and all other our Brethren now present, We are glad to see you, & with this String we bid you heartily welcome."

A String.

"Brethren:

"So long a Journey as you have now taken, must have been very fatiguing, and made your Bodies very dirty; with this String, therefore, I clean your Bodies, & wipe off all the Sweat and Dirt from them."

A String.

"Brethren:

"As you came along you must have hurt your feet with the Stones, & torn your Legs with the Bushes and Briars; I therefore apply some healing Oil to them, and make them well."

A String

"Brethren:

"With this String I open your Eyes & clean your Ears, that you may see your Brethren clearly, & hear distinctly what they shall have to say to you."

A String.

"Brethren:

"With this String I clear your Throats and open the passage to your Hearts, that we may confer together freely & affectionately, as our Forefathers used to do."

A String.

"Brethren:

"Having now cleansed your Bodies, opened your Eyes and Ears, cleared your Throats & made a passage to your Hearts, I am now ready and disposed to hear every thing that you have to say to me."

Then Thomas King stood up, and spoke as follows, vizt:

"Brother:

"We are well pleased to hear what you have said to us, and as we are of different Nations, & speak different Languages, we shall take time to consider and explain what you have said, and to-morrow, after Breakfast, I shall give you notice when we shall be ready to speak to you."

A String.

"Brother:

"I take this opportunity to acquaint You, that all our Guns, Hatchets, and other things are out of repair, and we beg you will give orders that they may be forthwith mended."

A String.

The Governor granted them their request, and told them their Guns, &ca, should be mended, & desired that they might be brought to the Council House for that purpose.

At a Conference with the Western Indians held at Lancaster, on Monday the 16th of August, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieuten^{t} Governor, &ca., &ca, as before.

The Governor having acquainted the Indians that he was ready to hear what they had to say:

Beaver, a Delaware Chief, spoke as follows :

"Brother :

"I do not chuse to speak now myself, as I do not speak clearly, and distinctly, & therefore shall appoint this Indian, named Cleghiccon (in English, Simon), to speak for me.

Then Cleghiccon spoke.

"Brother :

"The day before Yesterday you spoke to me, and I have heard you, and we your Brethren, the Western Indians, have all been consulting about it."

"Brother :

"I now inform you, in behalf of my Grandchildren, the Tawwas, they have none of your Flesh and Blood left in their Towns, for they have delivered them all up to you; Likewise in behalf of my Grandchildren, the Twightwees, they have delivered them all up also, and have none left; Also on behalf of the Wawaghtanies, they have none of your prisoners, for they have also delivered them all up; And lastly, on behalf of another nation, called the Kickapoes, they say they never had any prisoners."

"Brother :

"The day before Yesterday, I heard what you said, & I assure you I am very well pleased with it. From what you have said, I suppose this matter of the prisoners to be the principal Business for which you invited us here."

"Brother :

"I have told you I left some of your Flesh and Blood where I came from, and I assure you I look upon them as my own Flesh & Blood, & I assure you again, you shall see them some time hence.

"Brother :

"I am very well pleased that you have demanded them now, & assure You, You shall have every one of them that remains with us.

"Brother :

"You may remember that you told me we should deliver all the Prisoners at Pittsburgh, and I should be glad you would now shew to me the Persons here whom you shall appoint to receive those our Friends, and we shall be glad of it."

A Belt of 7 rows.

Then Beaver stood up and spoke :

"Brother :

"This is all I have to say to you. We, the Western Indians, have nothing further to say to you; You know that we spoke three days ago to you, about the Friendship between us.

"Brother :

"The next Nation that have a mind to speak to you, are our Grandchildren, the Shawanese, and they are now about to speak."

Then Miskapalathy, a Shawanese, rose up and spoke :

"Brother :

"I have heard what you and the Chief men have been conferring about, & now I desire you will hear your younger Brothers, the Shawanese. Our Chief men are not here, but we are sent by the Chief men to speak for them, & what we say comes from their Hearts. There are several of our Nation here, though but two of us are deputed by our Chiefs.

"Brother :

"I am very well pleased to hear you have cleansed our Council House. Now, though we who are left, are like Boys, I assure you we will assist you to cleanse our Council Chamber, & we will do it always from our Hearts."

A Belt of 8 Rows.

"Brother :

"You have heard what I had to say last Fall; George Croghan knows it, & I suppose you know it. I told him then, that I would cut all the Prisoners loose, and set them at Liberty.

"Brother:

"I have heard what you said to my Grandfathers, the Delawares, respecting the demand of your Flesh and Blood, and I am very well pleased with your Demand, and I now assure you I am in a hurry to get home, for they, your Flesh and Blood, yet remain there.

"Brother :

"I have heard what you said. Now, I shall depart very soon; I expect to meet my people and all the Prisoners at Pittsburgh, where I shall deliver them up, & you shall then hear what I shall have further to say to you."

A String.

"Brother:

"Now you have heard what I have said to you, & it is all I intend to say to you.

"Brother:

"I now want to mention something to you, about our Trade with you.

"Brother:

"We, of the Shawanese, Twightwees, Ottaways, Wawaghtanies, and Kickapoes desire you will take pity on us. Our Chief men at Home have their Eyes on us Boys, who came with our Grandfathers, the Delawares, to talk with you about Friendship. We have now concluded our Friendship with you; I now desire you will open a Trade with us, & that you will not be too hard in it. If you open a Trade among the back Nations, we desire to know at what prices you can afford your Goods."

A Belt of 7 Rows.

The Governor, asking the names of the two Shawanese Chiefs or Deputies, was informed they were called Miskapalathy, or the Red Hawke, & Wapemashaway, or the White Horse. The Governor told them he had heard what they had said, & it was very agreeable to him, and that he would give them notice when he should return them an answer.

At a Conference with the Western Indians, held at Lancaster, on Wednesday 18th day of August, 1762.

PRESENT:

The Hon'ble JAMES HAMILTON, Esquire, Lieuten^{t} Governor, &ca., &ca., &ca., as before.

The Governor, addressing himself to Beaver and the Delawares from the Ohio, spoke as follows, vizt:

"Brethren:

"Listen to me, while I give you an answer to the Speeches that you made to me on Monday.

"You spoke to me in behalf of your Grandchildren, the Tawwas, Twightwees, Wawaghtanies, & Kickapoes, acquainting me that they had respectively delivered up all our people, who were prisoners in their Towns during the War.

"Brethren:

"Let them know that we esteem this as the greatest mark they could have given us of the sincerity of their Friendship, & by this Belt we return them our hearty thanks."

A Belt.

"Brethren:

"You told us that our demanding the prisoners at this Time, & in the manner we have done it, was very agreeable to you; and you supposed it was the principal Business for which we invited you here.

"Brethren:

"You judge right, in thinking that the affair of our Prisoners was a principal reason of our inviting you here; it really was so, for we had it very much at Heart.

"Another reason of our desiring to see you was, that we might renew our ancient Friendship, & brighten and strengthen the Covenant Chain, which so long & happily subsisted between our Ancestors. This last has now been done to our mutual Satisfaction, & it has given me, and all the good people present, the highest pleasure to hear from your own mouths that, agreeable to our Demand, you are determined to deliver up all the prisoners that remain in your Towns, to such persons as I shall appoint to receive them, at Pittsburgh.

"Brethren:

"I have not yet concluded upon the persons to be sent to Pittsburgh for that purpose, but you may be assured I shall very soon, who, when they come, will bring with them a Message & full Credentials from me, by which you will know that they are deputed by me to receive the prisoners from you. I propose they shall be at Pittsburgh the Second day of October next, by which time I expect you will have collected all of them, & brought them to that place."

A String.

"Brethren:

"We shall now return an answer to your Grandchildren ye Shawanese.

"Brethren, the Shawanese:

"You told me at your last Meeting that you were pleased to hear what had passed between us and your Grandfathers, and with our having cleaned the Council Chamber, which you said you would always assist in keeping Clean. You told us also that your Chief men are not here, but have deputed you to speak for them, and that what you shall say comes from their hearts.

"Brethren:

"As we have been very sincere and open in every thing we have said to your Grandfathers, we should have been glad that more of your Chiefs had been here to have heard it, but as they are not, we desire you will acquaint them & all your Nation, that we are extreamly well disposed towards them, and are determined to hold fast the Chain of Friendship that has been so happily renewed between us, & are glad to hear you will always readily assist us to keep the Council Chamber clean."

A Belt.

"Brethren:

"You told me that you had sent me Word last Fall by Mr. Croghan, that you would cut all the Bands of the prisoners loose, and set them at Liberty, & that you were pleased to hear the Demand I made of your Grandfathers that they might all be delivered up; that you expect to meet your people & all the prisoners at Pittsburgh, where you will deliver them, & that you are in a hurry to go home for that purpose.

"Brethren:

"Mr. Croghan delivered me your Message last Fall, & I was very well pleased to hear you had concluded to set our people at Liberty, and I am the more so to hear that you expect your people may be on the way to Pittsburgh with the prisoners, & that you will deliver them up immediately, and your desiring to return home forthwith for that purpose convinces me that you are in earnest, & I much approve of it.

"Brethren:

"You desired we would open a Trade with you & the other Western Nations, & not to be too hard in our dealing with them. I must address my Answer not only to you but to the Delawares and all present, who I desire may listen attentively to it.

"Brethren:

"Trade is a Business of Importance, and what I intended to mention to you all at this meeting. You know that for some Years past this Government hath kept a great Store at Pittsburgh in order to supply you with goods, in exchange for your Skins & Furs, near your own Homes. Good men have been appointed to regulate the prices of our Goods and your Skins, & great care has been taken that you should not be cheated or imposed upon by those who have from Time to Time kept the Provincial Stores; but I am sorry to inform you that the Charges of carrying our Goods & bringing back your Skins so many hundred miles on Horse back are so high that it is a great discouragement to that Trade, and we lose a great deal of money by it every Year, insomuch that I fear it will drop, unless your Uncles, the Six Nations, will consent to let us go with our Canoes up the West Branch of Susquehannah as far as we can, & build a few Store Houses on the Banks of that river to secure our Goods in as we pass and repass. This will cut off a long Land Carriage, and may be a means of encouraging the continuance of the Trade with you, & enabling our people to sell their Goods to you at a reasonable rate. We intend to speak to your Uncles on this Subject.

"Brethren:

"I have now finished my answers to your several Speeches, but I have still something particularly to say to Beaver & our Brethren of the Delaware Nation living at Allegheny, and desire you will attend to me.

"Brethren, the Delawares:

"I take this opportunity to inform you, That about Six Years ago your Brother, Teedyuscung, made a complaint the Proprietaries, wherein he charged them of defrauding the Delawares of a Tract of Land, lying on the River Delaware, between Tohiccon Creek & the Kittatinny Hills. He alledged that this Complaint was not made by him, on his own account, but on behalf of the Owners of the Land, many of whom, he said, lived at Allegheny. This Dispute, Brethren, was, by mutual Consent, referred to our Great King George, who ordered Sir William Johnson to enquire fully into the matter, and make his report to Him, that Justice might be done you, if you had been wronged. Accordingly Sir William, about two Months ago, came to Easton, where, on the proprietaries' Commissioners producing & reading sundry Writings & papers, Teedyuscung was convinced of his Error, and acknowl-

edged that he had been mistaken with regard to the charge of Forgery made against the Proprietaries, having been misinformed by his Ancestors, & desired that all further disputes about Land should be buried under Ground, and never heard of more, offering that such of the Indians as were then present should sign a Release for the Land in Question, & that he would endeavour to persuade the rest of his Brethren who were concerned to do the same, at this Treaty at Lancaster. Now, Brethren of Allegheny, as we are Face to Face, be plain, & tell whether you are satisfied with, & approve of, what was done at the last Treaty at Easton, and whether you lay any Claim to those Lands, that there may be no room left for any future dispute about it among our Children."

A small Belt.

To which Beaver said:

"Brother:

"As to my own part, I know nothing about the Lands upon the river Delaware, but since you request it, I will first speak to my own people about it."

Then Beaver, consulting with his Concellors, returned the following answer:

"Brother:

"I must acknowledge I know nothing about Lands upon the Delaware, & I have no concern with Lands upon that river; We know nothing of the Delawares' claim to them; I have no claim myself nor any of my people; I suppose there may be some spots or pieces of Land, in some part of the Province, that the Delawares claim; but neither I nor any of my people know any thing of them; As to what you and our Brother Teedyuscung have done, if you are both pleased, I am pleased with it; As to my part, I want to say nothing about Land Affairs; what I have at Heart, and what I came down about is, to confirm our Friendship, & make a lasting peace, so that our Children & Grandchildren may live together in everlasting peace after we are dead."

Teedyuscung and his Delawares being present, something passed between them which was not interpreted.

The Governor addressing himself to Beaver said:

"I am very much pleased with what you have said; You speak like an honest man, and I hope that the friendship that has been made between us & our Brethren, the Delawares, will remain firm, as long as the Sun shines & the Rivers run.

Teedyuscung then stood up, & addressing himself to the Governor, said:

"Brother:

"Before all these Allegheny Indians here present I do now assure you that I am ready and willing to sign a release to all the Lands we have been disputing about, as I told you I would at Easton, & desire no more may be ever said or heard of them hereafter."

On which the Governor told Teedyuscung that he was pleased with what he had said, & that on that occasion he had acted like an honest man.

The Governor then concluded.

" Brethren :

" Your Brothers, the proprietaries, about three Years ago, directed me, as soon as Teedyuscung's complaint against them was determined & Justice done to their Characters, to make their old Friends, the Delawares, a present in their name, to supply your Wants, and as a mark of their affection and regard for you, and to convince you that they had no ill Will in their Hearts against you, but looked upon you as formerly to be their good Friends and Brothers; Now as that dispute is happily at an End, I am at liberty to follow their directions, and shall accordingly order a present of Goods to be delivered to you from the proprietaries."

At a Conference with the Northern Indians held at Lancaster on Thursday the 19th of August, 1762.

PRESENT :

The Honourable JAMES HAMILTON, Esqr, &ca., &ca., as before.

Thomas King, a Chief of the Oneidas, stood up and spoke as follows, vizt :

" Brother :

" Hearken to what I am going to say in answer to your Speech to me the day before Yesterday; I return you my thanks; It gives me pleasure that we see one another in the same manner our forefathers used to do;" Then taking up the Strings, delivered by the Governor, in their order, he repeated what had been said upon them.

" We are all very glad to see you & your Brethren that are with you, in health. All the Six Nations, and our Nephews, have had interpreted to them all that you said, and they are pleased with it, and very glad to see you, and that it has pleased the great God, who has all power in his hands, to suffer us to come together, to speak to one another freely."

A String.

" Then taking another String, he repeated the Governor's Words spoke upon it; and, in the name of all the Indians present, returned him thanks for his taking the Bryars out of their Legs, and healing the Bruises that were made in their Feet by the Stones."

A String.

" Brother :

" The other day you cleared my Ears, and my Cousins here, for which I return you my thanks; & now, by this String I clear your

Ears in the same manner, that you may hear what I have to say to you."

A string.

"Brother:

"You told me the other day, that as we were come from afar, and the Roads were very dusty, you cleansed our Throats from the Dust, and opened a passage to our Hearts; we all return you thanks that you have cleansed us so far, & we do in the same manner clean your Throats & hearts.

A String.

"Brother:

"You likewise told me you wiped the tears from my Eyes for the loss of my Friends, that we may see one another clearly, for which we all return you our thanks."

A String.

"Brother:

"It is now three Years since you first demanded of us your Flesh and Blood. Now hear me, as to what I & all our Nations and our Allies, that lives as far as the Sunsetting, have done.

"Brother:

"I assure you, in behalf of all of us present, & the Western Indians, of whom you have been demanding your Flesh and Blood, that I have them here, & that it is not my Fault, neither can I say our Maker has been the Cause, but the French have been the cause why you have not had them sooner."

Then directing his discourse to his Brothers & Cousins, the Delawares, he proceeded and said:

"I never had occasion to go to war with the English Nation; the people I had occasion to go to War with, live to the Southward; it has been so from all Ages, & we have always gone to War against the Southren Indians; I never had cause to go to War with the English; this was owing to the Evil Spirit, the Devil. When I used to go to War with the Southren Indians, and brought prisoners home, I thought they were mine, & that nobody had any right to meddle with them. Now, since I joined with you, I went to war again, & I brought French people home with me as prisoners, and you took them from me; this makes me think it was owing to the Evil Spirit.

"Brother:

"I desire you to be strong. I have heard you often say you would be very glad if I would bring you the Captives, and you would make me Satisfaction, because you know I am not as you are. I am of a quite different Nature from you; sometimes I think you are not in earnest with me, in telling me you will make me Satisfaction.

"Brother:

"We have heard you, & so have all my Brothers & Cousins to the Westward heard what you have said about giving us Satisfac-

tion; Your Words seem to be very sweet to us. You told us if we did so and so you would do so with us.

"Brother:

"You know we are different Nations, and have different Ways. We could not immediately perform what you required of us, in returning your Flesh and Blood, because every one of these Nations have different Ways; that is the reason why we could not so soon perform it.

"Brother:

"I am sorry it is so difficult for us to understand each other; If we could understand one another, we would put one another in mind of the Friendship that subsisted between us and our Forefathers; but as we do not easily understand one another, we are obliged to deliver you the Substance in short of what we have to say, which makes it tedious. (Meaning that they are obliged to Interpret in two or three Languages before it is told to us).

"Brother:

"You have often told me, if I would bring your Flesh and Blood, you would be very glad, and would give such Prisoners liberty to return with them, if they did not incline to stay with you, & to go where they pleased."

A Belt of 8 Rows.

Thomas King being asked who it was that promised the Prisoners should be left to their Choice, to return with them or go where they pleased? He answered, the Governor promised it at Easton, & there were two Governors there at that Time. (Meaning Governor Denny and Governor Bernard, of New Jersey).

"Brother Onas:

"You have been requiring your Flesh and Blood these Three Years; I promise you I will give you them, and now I will deliver all I have brought."

A Belt of 8 Rows.

"Brother Onas:

"I am sorry we cannot speak to one another any faster, because we cannot understand one another without so many Interpreters, & this takes up much time, so that we must be slow in telling our Business.

"Brother Onas:

"You have told us of the Six Nations; that we must assist you to see your Flesh and Blood. If we assist you, you say you shall see your Flesh and Blood.

"Brother:

"We have done what we can, & that is the reason why you see so many of your Flesh & Blood; some Indians part with them with

reluctance, and wants to keep them longer; they are unwilling to part with them; this brings a great deal of Trouble on us, the Six Nations.

"Brother Onas:

"You have often told us, the Six Nations, that we should assist in getting your Flesh & Blood. I have done my Endeavors, and taken great pains; I have got a great many of them, though at first with great Difficulty. When I brought them by the English Forts they took them away from me; All along from Oswego to the Carrying place, and so to Niagara, till I got to Shamokin, they got them all from me, and I believe they have made Servants of them. This is the reason why I brought so few of them. No wonder why they are so loath to come, when you make Servants of them. You know that you have told me that I should assist you, you cannot deny it; By and by you will say, I never told you to assist me, and that I tell lies when I say so.

"Brother Onas:

"You told me you would be very glad if I would bring you your Flesh and Blood, & that you were able to make me Satisfaction for them. You said you had Rooms full of Goods, and that we should never want any thing, while you have Goods. You told me we shall have a recompense for our Trouble in bringing them down. I assure you I have brought all your Flesh and Blood that I could get at this time; there are some behind yet, but they belong to such people as are gone to War against the Cherokees, and we could not take them without their leave, and when they return from War we will certainly bring them.

"Brother Onas:

"I have brought fourteen of your Flesh & Blood; that is all I could get at this time, for, as I told you, your people in the Forts have got them all away from me; they have stole them or persuaded them to run away from me, & have hid them in the Bushes. As I told you, there are few left, that belong to those Indians that are gone to War against the Cherokees, with whom we have been at War from all Ages, and they are at War with you; I assure you when they return we will bring them all to you. You used to tell me I always came unawares upon you, when I did come; You certainly knew that I was coming ever since last Spring, and you might have got every thing ready for me. There is one Captive at the Camp that says he will not come; he says the Governor has seen him, and talked with him at the Camp; all the rest are here."

A Belt.

"Brother Onas:

"It may be there are two Governors of you; your Messages & your Words do not agree together; when I repeat what you have said to me, it seems disagreeable to you."

Here the Governor asked what he meant by two Governors, & desired him to explain himself for he could not understand him.

He answered:

"Brother:

"You want to know what my meaning is, by saying there are two Governors. (In every Country there is always one head Governor, but here are two Governors.) It will not do for me to point out people, for you must certainly know there is more than one Governor. I hear one say such a thing, and another say such a thing; but I will not point out any body, lest you should differ. You will hear of it hereafter. I heard that both Governors came from Philadelphia, but perhaps I may be misinformed."

The Governor desired to know whether any Messages had been delivered to them in their own Country, & by whom, and what the Messages were. He insisted on their giving him a plain answer.

They answered that the Cayugas, who were at Philadelphia in the Spring, brought the Messages to them, but do not pretend that they were delivered in the Governor's name, but they might have brought what passed only in private Conversation.

"Brother Onas:

"As I have now brought your Flesh and Blood, I would have you to take care of them, & keep them fast. I brought a Girl to Easton, and she run away; when I came home I found her there. Bless me! says I, there is my Wife. I was sorry that I had delivered her, but to my surprize I found her at home. You know it is hard to part with a Wife.

"Brother:

"I have brought an English prisoner, who I love as my own Wife. I have a young Child by her. You know it is very hard for a man to part with his Wife. I have delivered her, therefore take care of her, and keep her safe, that she don't make her escape.

"Brother:

"Our Grandfathers used to tell us we should keep fast hold of the Chain of Friendship, & always advised us to observe it, but now in latter days, as soon as I come across the Hatchet I got hold of it, and really I did not know what I was about, and struck it into your heads. By this Belt I take the Hatchet out of your Head; it belongs to you and the French; you are both of one Colour. It has been the fault of the French that we struck you, and therefore we take the Hatchet our of your Head."

A Belt of 8 Rows.

"Brother Onas:

"Now that I have taken the Hatchet out of your Head, I gather your Bones, which lie scattered in so many places that I cannot name them particularly.

"Brother:

"There is a large pine Tree in the Oneida Country, which I take & pull up by the Roots, and then it makes a great hole; when I look down the hole, I see a great river running very strong at the

bottom. By this Belt I gather all your Bones, wherever I can find them, and bury them in that hole, and the Hatchet with them; when I put them down the Hole, they fall into that strong stream, and float down it, I know not where. I stick that pine Tree down again in the same hole, and then nobody can discover that there has been a hole; so that neither you nor I, nor our nor your Grandchildren, shall ever be able to know where your Bones are laid. This is the Custom of our Forefathers, that when any difference arose between them and their Brethren, they buried it in this manner."

A Belt.

"Brother:

"I own you are my eldest Brother. The eldest Brother should always teach the youngest Brother when they misbehave. I therefore desire, when you see us misbehave, that you would tell us of it, and teach us better."

A Belt of 7 Rows.

"Brother Onas:

"Our late Differences have been the Cause why the Clouds have hung over our Heads and made it dark. Now by this Belt I take away all the Clouds that we may see the sky clear and the sun rise & set. We fourteen Nations now present tell you this."

A Belt of 6 Rows.

"Brother Onas:

"I don't doubt but there is some Foulness come into your heart through your Throat. My Grandfathers used to tell me, that whenever we found our Brothers' Heart and Throat to be foul, that they had left me the best Medicines, and desired me to put it to your Mouth to drink as a Physick, & that it would cleanse their Throat & Heart, and pass quite thro' their Body down to the Ground; and Brethren, by this String I bury it in the Ground, so that your Heart and Throat may be forever clear. We fourteen Nations tell you so."

A String.

"Brother Onas:

"I have removed all the Filthiness from your Body, & since I have cleansed it out and in, I shall go about that good work of peace.

"Brother Onas:

"It was we of the Mohocks, Oneidas, Senecas, Onondago's, Cayugas, & Tuscaroras, that first brought about the good work of peace."

He added that the Mohawks and Oneida's were the eldest of the Six Nations, and both of a Height.

"Brother Onas:

"I will acquaint you, further, that I have more Brothers to the Westward, & that we are all Brothers down as far as the Sun-set; my Friends are so many that I cannot tell how many they are.

"Brother Onas:

"I will let you know that the Mohocks are the eldest, yet they are the furthest off to the Eastward. When they hear anything they pass through the Oneidas, to the Onondagoes, where the Council Fire burns; Likewise when the Senecas hear anything, they come to the Cayugas, because they are next to the Onondago Council, so that whenever they hear anything to the East or West, it is carried to the Onondagoe Council." (Meaning that when you shall send any Messages to the Onondagoe Council, they must be sent either to the Senecas or Mohocks).

"Brother Onas:

"I will mention our old Friendship; I will make it new again; I will brighten up our old Chain of Friendship. Our Grandfathers used to tell one another they had one heart, & here it is; they both had hold of it. They used to tell one another they had one Head & one Heart. We fourteen Nations tell you so."

They Deliver a Belt of nine Rows, representing the figure of two Men in the middle, with a Heart between them, & Six Diamonds on each side; one of the men represents the Indians, the other the English.

"Brother Onas:

"Now we have renewed our old Friendship. I am a little afraid your Fire is almost out; it is not good; now I will take all that bad fire away and Kindle it again, and make a good Fire of it; I will take good dry Wood, and kindle up the Fire afresh that our Grandfathers have made, & so make the smoke rise up, so very high that all nations shall see it, & thereby know that there is a Council Fire here. There was a good Fire at Easton; that was really a good Fire, for when I came to that good Easton Fire, I could have my Belly full of Victuals and plenty of Drink, but now I come here, I have little to eat; I am sure I have no other Drink than dirty water, which almost choaks me."

A Belt of 6 Rows.

"Brother Onas:

"What we have hitherto said concerning peace, has been concluded upon by our old Counsellors. We also desire our Chief Warriors to be strong and assist our old Counsellors, and desire if any thing should be wanting in the old Counsellors, they would assist them in it, in order that our Friendship may be lasting; for the Counsellors can do nothing unless the Warriors should give their Consent to it. We fourteen Nations tell you so."

A Belt with seven Rows, with two Diamonds in it, representing the Counsellors and Warriors united in Council together.

"Brother Onas:

"Our Friendship seems to go on very kindly. I will tell you one thing; you are always longing after my Land: from the East to the West you seem to be longing after it. Now I desire you will

not covet it any more; you will serve me as you have done our cousins, the Delawares; you have got all their Land from them; all the Land hereabouts belonged to them once, and you have got it all.

"Brother Onas:

"I desire you to go no further than Nixhisaqua (or Mohony). I desire you will settle no higher up; for if you keep pressing on me, you will push me out; for I shall have no place to live on nor hunt in, neither for me nor my Grandchildren; so I desire you will press no further. I desire another thing, that you will not take it from me by Force. If you take this Land by Force, it will never go well with either of us. You may remember that God gave us this Land, and you some other, yet I have parted with some of it to you."

A Belt of 6 Rows.

"Brother Onas:

"You have desired of me to assist you, in order to bring in your Flesh and Blood, which now you see I have done. You used to tell me if I would bring in your Flesh and Blood, or assist you therein, you would satisfy those who brought them in; these are mighty pleasing words to me, and I hope you will do so. Some of our Warriors who are here have no Guns, & if you will bestow any on them, I desire they may be good. You are daily making rifles; I do not know what you do with them. When you gave me any Guns, you gave me Yellow stocked ones, that are worth nothing. I have asked you now four times. At Easton you only gave me Gun Locks. What, think you, could I do with them, without Stocks and Barrels? I make no Guns. After I got the Gun locks, I joined myself with Genl Forbes, and went to War with him, as you ordered me, against the French; and as soon as I had done it, you still only gave me Gun locks."

A Bunch of 10 Strings, mostly black.

"Brother Onas:

"Having finished what I had to say to you, I am now going to speak to my Cousins. Please to heaken to what I shall say to them."

Then directing his Discourse to the Delawares, he spoke as follows:

"My Cousins:

"I could hardly get along; I heard such frightful news, that indeed I could not get along, if I had not had good Courage. Teedyuscung, before I set off from home, I heard you should say, you would poison us all, so that we should not hold this Treaty. Thinks I to myself, I will come nevertheless; If I die, it will be well; I can die but once; so then I came along as far as Wyoming.

"My Cousins:

"As soon as I came there, Teedyuscung began to make his complaints that he had no fire; so says I, Cousin, there is certainly

some Fire, for I made one here for the Shawanese (Cacawasheca), and I made another Fire at Shamokin, for Alammapis; another Fire I made at Wighalousin; another Fire I made at Diahoga. All those Fires are there yet. The Fire at Wighalousin is a good Fire, for I heard no bad Stories there; that Fire at Shamokin is not yet out; if any body stirs it, it will soon blaze. I made the Fire at Wyoming for the Shawanese, perhaps they will not still return to that place. Then I came along as far as Harris's Ferry; there I heard another piece of bad news from Teedyuscung, who said he had got a sort of poison that will give the Indians the Bloody Flux, and as soon as they come, he would give it to them, that they might get the Flux, and die along the road as they go. But notwithstanding these Discouragements, I came along and got here; I now suspect there is a bag of poison some where about this Camp, that will give us the flux as we go home; and I think it would be a great shame, if it should be so, because our English Brethren sent for us; and if any of us should die, it will appear to them as if they had lost so many of their own people, because it was they that sent for us.

"Now, Teedyuscung, I must teach you better; I will correct you; You must not talk of such a thing, for if any of us die, it will be said Teedyuscung was the cause of it, so you should not say such things. By this Belt, I make a Fire for Teedyuscung at Wyoming; I tell him to sit there by the Fire side, and watch that Fire; but I don't give it to him, for our English Brethren cast an Eye upon that Land; Therefore, I say to Teedyuscung, watch that Fire, & if any White people come there, tell them to go away, for that Land belongs to your Uncles, the Six Nations. The Six Nations wants to keep up that Fire, that they may hear from their Brethren, the English, and others."

The Belt was given to Tipiscohan.

Then turning to the Governor, he said:

"Brother:

"This is all I have to say at present; but I have more in my heart, which I cannot speak now, having staid so long that I am quite fatigued."

The Governor then aquainted Thomas King, that he had been attentive to all he said, and that he thanked him for it, and when he had considered of it, would, at a proper time, return him an answer; but told him, that he had not yet delivered him the prisoners, and as this was an improper place, he desired a few Indians would take them to the Court House, where he would receive them.

The Conference then broke up, & the Governor, his Council and the Commissioners, went with some Indian Chiefs to the Court House, to receive the prisoners; where being come, the Governor acquainted Thomas King that he was now ready to receive the prisoners from him, and that they need not be under any Appre-

hensions of being used ill, for that he would be kind to them & treat them like Children, & restore them to their parents and Relations.

Then they delivered to the Governor the prisoners, as follows:

Elizabeth Williams a young Woman, delivered by Mussause, a Munsey Indian; Henry Williams, about Eighteen Years of age, Brother to Elizth. Williams, delivered by Conyhochevatoquin, a Munsey; Peggy Dougherty delivered by Eckgoheson a Munsey; Mary Tild and her Child, taken near Samuel Depuies, by Echgohson; Abigal Evan & her Child, taken at Stony Creek, in Virginia, by Cowachsora, a Seneca.

A Boy by Meightong, a Munsey; a little Girl by Eckgohoson, a Munsey; a little Boy by Nessewauck, a Munsey; a Boy of about fourteen Years, by Eckgohoson, a Munsey; a Boy of twelve Years, by Cowockslaira, a Seneca; a little Boy of Seven Years, by Corocksaara, a Seneca; a little Girl of Six Years, by Contaronque, a Seneca. These Children's names unknown, as they cannot speak English, or give any account from whence they were taken.

John Brightwell of Lower Marlborough, near Patuxent, in Maryland, a Deserter from the 1st Battalion of Royal Americans.

Lancaster, August 22nd, 1762.

At a Conference at John Hambright's, (where the Governor delivered to the Delaware Indians the presents made to them, by himself and the province).

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, &ca.

William Logan, Esqr., Member of the Council.

Joseph Fox, James Webb, Esqrs., Members of the Assembly.

Israel Pemberton, Jeremiah Warder, Isaac Greenleaf, Benjamin Hooton.

Beaver and Teedyuscung, Chiefs of the Delaware Nation at Allegheny and Wyoming.

Joseph Compass alias Catepackeaman, Joseph Peepy, Tayshiccomen, Taqualaw, Counsellors to the Chiefs.

The Governor opened the Conference, & spoke to the Indians as follows, vizt.

"Brother Beaver:

"I told you a few days since of the Disputes that had happened between your Brothers, the Proprietaries, and Teeduscung, about Land; & that I had their orders, as soon as the dispute should be ended, and the Proprietarie's Characters cleared, to make the Delaware Indians a present of considerable value, as a mark of their Affection to their old Friends. To which present from the Proprie-

taries, the good people of this province have been pleased to make an addition of equal value."

"Brothers Teedyuscung and Beaver:

"As that dispute is now happily settled, I do (in consequence of the Proprietaries orders, and upon what was agreed upon at Easton upon that Subject, betweep me and your Friends, the people of this province), make you a present of the Goods and Money now lying before you, to be equally divided between you, as a proof of the regard, both of the proprietaries & people, for their old Friends, the Delaware Nation."

"Brother Beaver:

"As this is the first time we have seen you & our Friends from the Westward, since the late Disturbances, and as some of them have been at Expence in collecting and bringing down our Flesh and Blood, which they have now delivered to us, I, and your Friends of this province, have thought fit to make you this further present, to testify the pleasure we have in seeing you after so long an absence, & our Thankfulness for your having restored the Prisoners. As you know better than we, in what manner to divide the present now made you, we desire you will do it amongst those who come with you, in the most just and equitable manner, paying a particular regard to those who have now or at any other Time, been at Trouble and Expence in collecting & restoring our Flesh and Blood."

"Brother Teedyuscung:

"We have had frequent opportunities of Shaking you by the hands since the War, & you, upon many occasions, received the strongest proofs of our Reconciliation & Friendship for you. Nevertheless, as we see that a greater number than common of our Friends are come down with you, in order to enable you to show your kindness to them, we think fit to make you this additional present.

"And now, Brothers, I heartily wish the peace & Friendship which have been renewed betwixt us at this Treaty, may continue and grow stronger as long as the Sun shall Shine or the Rivers run, to which you may be assured, we, on our parts, shall contribute to the utmost of our power, as we doubt not you will also on yours."

After the Governor had finished his Speeches to Beaver and Teedyuscung, the latter rose up and addressed himself to Beaver, desired him to take notice that he now delivered up all his Right and Claim to the land on the river Delaware, that have been in dispute between him and the Proprietaries of Pennsylvania; and that he now, as he (Beaver) saw, received this Money and Goods from his Brethren, the English. He further desired Beaver to acquaint all the Indians at Allegheny, that the Delaware Nation have now no Right or Claim to any of the Lands on the Waters of the river Delaware, that have been in dispute.

Then turning to the Governor, said to him:

"Now, Brother Governor, our Children and Grandchildren shall never be able to say hereafter that they have any right or claim to the Lands that have been in dispute upon that River."

The Governor, directing his discourse to Beaver & Teedyuscung, told them that as they had now received a considerable sum of Money, he cautioned them against giving too much of it to their Young Men, who, instead of laying it out in things necessary and useful, might be tempted to debauch themselves with strong Liquors, which might occasion them to quarrel & do mischief, not only to one another, but also to their Brethren, the English, which might endanger the Chain of Friendship betwixt them and us, and would be a very ungrateful Return of all the Kindness we had shewn them.

To which they both answered,

That they were obliged to the Governor for his advice, in which they thought he had their good at heart, and promised to follow it, and heartily thanked him for it.

The Governor then delivered to Beaver and Teedyuscung respectively, Two Hundred Pounds, in milled Dollars, and the value of Four Hundred pounds in Goods, to be equally divided between them. He further presented to Beaver, & those who came with him from the Ohio, the value of Four Hundred Pounds in goods, and the value of Two hundred pounds in goods to Teedyuscung, and his Friends & people; and after taking them both by the hands, he departed, and the Conference ended.

At a Conference with the Northern Indians, held at Lancaster, on Monday the 23rd of August, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, &c^{a}, &c^{a}, as before.

Thomas King stood up, and addressing himself to the Governor, spoke as follows, vizt:

"Brother Onas:

"It is about three Years ago that you asked me whether I was willing you should build a Fort at Shamokin; you said you wanted to build a Fort there to stand against the French, & to defend the Inhabitants; that our Great King had commanded you to build Forts. You said you would keep a Fort there as long as the War continued, but that you did not want any of our Land there.

"Brother Onas:

"You likewise asked me to let you build a Fort there, to defend my Land, & to defend yourself; you told me that you did not desire any greater quantity of my Land than what the Fort took up; I granted you liberty to build a Fort, because you told me it was the Great King George desired you might build one on my Land, & I endeavoured to assist you. You also told me, as soon as ever the Peace was concluded, you would go away, or that at any time when I should tell you to go away, you would go away, and that I might do what I would with the Fort.

"Brother Onas:

"Now, all the different Tribes of us present, desire that you will call your Soldiers away from Shamokin, for we have concluded a Peace, and are as one Brother, having one Head and one Heart.

"If you take away your Soldiers, we desire you would keep your Trading House there, and have some honest Man in it, because our Cousins follow their hunting there, and will want a Trade. This is the way for us to live peaceably together.

"Brother Onas:

"I must tell you again these Soldiers must go away from Shamokin Fort; I desire it, and let there only be Traders living there, you know who are the honest people; we desire that only honest people may live there, and that you will not be too hard with us, when they may buy our Skins and Furrs, and such things as we may have to sell. This will be the way for us to live peaceably together; but for you to keep Soldiers there, is not the way to live peaceable. Your Soldiers are very often unruly, and our Warriors are unruly, and when such get together they do not agree, for as you have now made peace with all our Nations, there is no occasion for Soldiers to live there any longer.

"Brother Onas:

"We the Six Nations have all consulted, and concluded on this matter, of your removing the Soldiers from Shamokin, for you know we go to War with the Southern Indians, the Cherokees; we have been at War with them ever since we were created, and the place where the Shamokin Fort stands is right in our Warriors' path, & you know that Warriors are always an unruly people. For this reason we desire you to take away your Soldiers, and place some honest man there, that he may supply our Warriors with Ammunition, & any other necessaries that they may want, when they go to War against the Cherokees. We must press you to take away your Soldiers from Shamokin, as our Warriors are unruly. You have planted Corn there, and if our Warriors come there, they may cut some of your Corn Stalks, & then you will be angry. The Fort you have there does not now do any good, for you have many other Forts all around you; this one, therefore, can be of no use to you, it stands as it were at your own Doors."

A Belt of twelve Rows.

Note.—He said he had forgot a word in this Belt, which was to tell the Governor that he might chuse and appoint such men as pleased to Trade, and also a Blacksmith and Gunsmith, to mend their Guns & Hatchets, or do anything they may want.

He then added:

"We desire that the present Storekeepers at Shamokin may be removed, & honest Men placed there in their Room; for our Hunters, who have been down there, complain that when Indians come there and want provisions and Goods, they find the Store

sometimes shut up, and they cannot be supplied with what they want.

"Brother Onas:

"For my part I think John Harris is the most suitable Man to keep Store, for he lives right in the Road where our Warriors pass, & he is very well known by us all in our Nation, as his Father was before him; we all know him. If you chuse John Harris, we desire you will order him to keep provisions and Cloaths, to give to our people, who sometimes come there naked, and likewise Ammunition for our Warriors, for that is their path. We desire you may have no trading Houses higher up the Susquehanna than Shamokin; let the Indians come there or to John Harris's; if they want to Trade, let them come down to these Trading Houses. We also desire you will send your Messages to Jn°. Harris's, so that we may hear from one another, because where he lives the roads seems to divide, & spread, and it goes to many places; And we further desire you will give him a Commission for these things in Writing.

Thomas King being asked if they meant that Jn°. Harris was to be furnished with Goods to sell or to give to the Indians? He answered, that they desired there might be a Trading House there, & that this was what they requested, and desiring to be excused if they forgot any part of their Speeches, as they were very long."

He proceeded:

"Brother Onas:

"I have now mentioned two Houses for you to keep Store Houses at, Shamokin, & John Harris's; but perhaps they will sell at different prices, and if we have a mind to have Goods cheapest, we may go to John Harris's; We, therefore, desire you will let us know what prices you set upon your Goods."

A Belt of Ten Rows.

"Brother Onas:

"I will also acquaint you of another proper Trading place, and who we think will be a suitable man to keep that Store House, and that is George Croghan, who is very well known by all our Nations and several others; We desire you will appoint him to keep Store at Bedford, because that is also in our Warrior's path; We desire likewise that there may be a Black Smith and Gun Smith, because my Cousins will be there a hunting, & will want their things mended; This will be known every where throughout all our Nations; for as the peace is made, our young Men will set themselves to hunt, and bring Skins there, & will have nothing else to do but hunt."

A Belt of Eight Rows.

"Brother Onas:

"I will also acquaint you of another trading place, which is the place they call Potowmack, in Maryland. One Daniel Cressap has sent me word by many Warriors this Spring, and he tells me that if the Governor would order him to keep a Store there, he would provide every thing for the Warriors; for his Father used to main-

tain all the Indian Warriors that passed and repassed that way; He likewise tells me if the Governor would let him know what he should do, & if he should be allowed to do this, he would provide for the Warriors. We now desire that he may be the person appointed to receive Messages, and that you would acquaint the Governor of Maryland with this, that the Warriors may pass and repass without any Molestation."

A Belt of Seven Rows.

"Brother Onas:

"We desire you to acquaint the Governor of Virginia, that we may pass and repass through his province when we go to War with the Cherokees, for our Warriors' road is stopped up in many places; English people have settled on it; And now we desire that a road may be opened, that we may pass safely; We desire nothing but Love and Friendship with our Brethren, the English, as we pass through. We desire you will send a Letter with this Belt to the Governor of Virginia, as from us, as soon as possible, for I do not know how soon my people may go that way; Our Warriors have already the Hatchet in their hands, & perhaps they may go there before your Letter gets there; for which reason I desire you will make haste in this Business."

A Belt of five Rows.

"Brother Onas:

"We now desire you to be strong, and that you will give us powder. I do not think that you will refuse to let me have powder, for you are able. Our Brother, General Johnson, though but a single man, supplies all our people with Powder; when we go to see him, he fills all our Powder horns with it. I see a great many of you here; I think you are more able than he. Our own people at home will have their Eyes upon us, & expect that we shall bring them some powder & presents. We, therefore, hope you will consider us in this, and make them larger than common, as we do not come to see you often."

A Belt of nine Rows.

"Brother Onas:

"I now speak in behalf of our Warriors. When we heard your words come to our Countries, they were very pleasing to us, that you would make presents to your Brethren, when they come to see you, and would give them any thing they may want. Now we desire you will give us some Vermillion, for you know that the eldest Brother has always pity and compassion on the Youngest Brother; we know you are able, as you make all these things in yourselves. We have all concluded peace now, but we have given our Young men liberty to go to War with the Southern Indians. This is the reason of our wanting the red paint; You see the Warriors always paint themselves when they go to War."

A String.

"Brother Onas:

"I shall now speak a few words, without any Belt or String. Whenever the French were asked for paint or any thing else, they always gave it to the Indians readily; and it is no wonder that so many Indians liked the French, since they were so kind to them.

"You see several of our Indians here dressed in French Cloaths; and we desire the Governor will be strong, and supply us with every thing.

"Brother Onas:

"I have not left any thing in my heart. I have said every thing material I had to say, and now desire you will help me as far as Shamokin, and supply me with Provisions; for perhaps some of our people, if they are hungry, may hurt some of the Inhabitants' Corn or Fruit, and cause Differences to arise. When I came from Easton last, I had no provisions given me to eat, so that when I got home I was almost starved, & a mere Skeleton."

A String.

"Brother Onas:

"We want a little lad that lives among you; he is Keishetas' Son. The old man ordered that he should live at Philadelphia, in order to learn English, to be an Interpreter. We think, by this time, he has learned it, & we now think it time for him to come home. His Relations, that are present, desire that he may now go home with them."

A string.

"Brother Onas:

"You may remember three Years ago, that this Man (pointing to Samuel Curtis) mentioned something to you about his Daughter, that was stolen from him in Dorset County, in Maryland, about fourteen Years ago. I spoke to you once before about it, & I have heard nothing from you concerning her."

A black and white String.

"Brother Onas:

"I am now going to speak to you in behalf of Tokahaion's two Daughters. They desire the Governor will give them a Horse; they hear the Governor is very kind, and gives many people Horses; they have two plantations, at which they plant Corn, and want Horses, to carry their Corn, to ease their backs, because, when at Home, their Corn Fields are at a considerable Distance from them."

A String.

Then Seneca George rose up, & spoke as follows, Viz^{t}:

"Brother Onas, & all our Brethren with you:

"We all desire you to remember our Son, Robert White, who carries all our Messages; he is old, and we desire you will give him

a Horse; you did give him a mare, before, but she is dead; she was with Foal, and died."

A Belt of 8 Rows.

Thomas King then spoke as follows, Viz^{t}:

"Brother Onas:

"This is all I have to say; I have nothing more in my mind; I beg you will consider of all that I have said, & take time to do it; it looks as if you were in haste to go home, but I desire you will be patient, & stay; I came a great way, and will contentedly stay as long as may be convenient."

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Tuesday, the Twenty-fourth of August.

Thomas King, in behalf of the Chiefs of the Six Nations, waited on the Governor, and acquainted him that, as their Speeches to him of Yesterday, were long, he suspected he might have forgot something, & desired he would give him the Opportunity of hearing every thing he had said repeated to him.

On which the Governor appointed a Meeting at the Old Lutheran Church, at which were present:

The Honourable JAMES HAMILTON, Esquire, Governor, &ca.

William Logan, Richard Peters, Esq$^{rs.}$, of the Council.

Joseph Fox, James Wright, Sam$^{l.}$ Rhoads, Esq$^{rs.}$, of the Assembly.

Thomas King, Tokahaion, Kinderuntie, & several other Chiefs of the Six Nations; Andrew Montour, & Isaac Stille, Interpreters.

When the Indians were seated, the Governor, laying the several Belts and Strings in their Order, as delivered him Yesterday, directed the Secretary to read the Minutes, which were distinctly interpreted to them, paragraph by Paragraph, and declared by the Indians to be right.

After which Thomas King arose, and spoke as follows:

"Brother Onas:

"I mistook when I told you Yesterday, that I would have you keep a Store at Bedford; I meant that Sir William Johnson should have a Store there, and that you should have the care of the Stores at Shamokin, and John Harris's. As George Croghan is under Sir William Johnson, I wanted that he should appoint Mr. Croghan to keep the Store at Bedford."

Then Tokahaion, a Cayuga Chief, spoke to the Governor as follows:

Brother Onas:

"My Cousins that live at Wighalousin, tell me, they went to the Easton Treaty to hear something about the Land Affair, be-

tween the Governor and Teedyuscung; these, my Cousins went to the Governor to enquire about their own Lands. The Governor made answer to them and told them that he had bought their Land from their Uncles. What they wanted to know about their Land, is this, that if they found it was not sold by the Six Nations, they think they ought to be paid for it. And since my Cousins made this Complaint to the Governor, at Easton, they have asked me whether I had sold the Land or not, and I told them that I did not know that I had sold any Lands belonging to my Cousins; but (speaking to the Governor,) said, you know it, because you have writings."

He further added:

"You can tell whether you have bought the Land, or not; if it is not sold to you by the Six Nations, it still belongs to them; but I do not want to sell Land that you have already bought."

"The Indians having finished what they had to say, the Governor acquainted them, that Thomas King had promised him, the other Day, that they would deliver up all the Prisoners that were in their Camp, & that he understood some were there yet, & desired to know the reason of their not being delivered up."

Thomas King answered.

"Brother:

"I acknowledge to have said, I would deliver up all the Prisoners, & I thought it had been done, and that all were delivered up that remained in the Camp, but we have gone too far, in engaging to deliver up all the prisoners in the Indian Country that belong to the absent Warriors; However, we suppose they will be delivered up, and we will do our Endeavours that it shall be so, and will consult with those that have the prisoners."

Then Kinderuntie, the Seneca Warrior, spoke.

"Brother:

"There are yet two White Men in the Camp; one of them, though he came with us, yet it was not by our consent; he would follow us; he belongs to a Warrior that is gone to War against the Cherokees, and we had no right to bring him without the Warrior's consent; you see him every day; he is at liberty. The other is a Deserter; he came among us of his own Accord; we informed Sir William Johnson of it, and Sir William said, that perhaps he might have misbehaved, and that we might keep him; perhaps he might learn the Language, and be of Service as an Interpreter, and that he might stay with us, if he would; he did not come to us as a prisoner, and as he has his Liberty, you may talk with him, if you please."

The Governor made answer:

"That as to the Captive, he expected they would deliver him up; and desired that they would bring the Deserter to him to-morrow Morning, that he might speak with him."

To which Kinderuntie replied:

"Brother:

"I cannot deliver up the Captive to you; he does not belong to me; he belongs, as I told you, to those that are gone to War; he came here of his own accord; he followed me down, and if I should deliver him now, the Warriors would say that I had sold him, & that will make me ashamed; I therefore desire my Brother will not force me to deliver him at this Time, to make me ashamed. As to the Deserter, I will bring him to you at any time."

The Governor concluded by saying to them, that he would have them consider of this matter in their Council again, & reflect seriously upon it, as he should have no Dependance on all they had already said, about restoring the Prisoners, unless they now deliver up this one to him.

The Indians then broke up, and went to their Camp.

At a Conference with the Northern Indians, held at Lancaster, on Thursday the 26th of August, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esqr., &ca., &ca., as before.

The Governor, first addressing himself to the Minisink Nation, spoke to them as follows:

"Brethren of the Minisink Nation:

"You have, since I saw you, lost a great Man. With this String I condole with you, and Share your Grief on the occasion, and with this Stroud I cover his Grave, & desire you may mourn for him no longer."

A String and Stroud.

"Brethren:

"By this String I desire you may consult among yourselves, & appoint a Man to sit in Council in his place, which will be agreeable to me."

A String.

The Governor, then addressing himself to the Six Nations, returned the following answer to the several Speeches made by Thomas King, the Oneida Chief:

"Brethren:

"You have, according to the ancient Custom of your Ancestors, upon my bidding you welcome, and cleaning you, performed the usual Ceremonies upon like occasions, with which I am well pleased, & return you thanks."

A large String.

"Brethren:

(Holding up the Belts & Strings that they gave).

"By these Belts, you have made me several Speeches respecting my requesting you to use your Influence with your Nephews, and all other Indian Nations, to restore to us all our Flesh and Blood. I make no Doubt you have met with some Difficulties on that Head, as I am very well acquainted with the manner in which you carry on War against one another, and that what prisoners you take, you claim an absolute property in by adopting them into your own Nation, as Soon as they bring them home.

"But, Brethren, the case is quite different between you and us. We do not look upon you to have the same sort of right over our Flesh and Blood as over your own. As we are of a different Colour from you, so we have different Customs. It is a constant rule with us White people, that upon making a peace with those with whom we have been at War, the prisoners on both sides are faithfully delivered up. Besides, you may remember, it was a positive Engagement between us, upon re-establishing the antient Chain of Friendship, that those Nations who had taken any of our people Prisoners, should deliver them all up; and this, Brethren, I must insist upon as the only means of burying every thing that has passed between us. I thank you for the Influence you have used, & the trouble you have taken, upon this occasion; but we are informed by such as have lately passed through the Indian Countries, that there yet remain a great many of our people, as prisoners, in some of your Towns, particularly among our Brothers, the Senecas; It is, I suppose, as you say, that some of them may belong to the Warriors, who are gone to War against the Southern Indians, with whom you are always at War; but whether they belong to them, or any other people, we expect that you will acquaint them with your repeated engagements, that they Shall all be delivered up, and therefore that they will no longer continue unwilling to part with them.

"Brethren:

"As to what you say about our promises of paying you for our Flesh and Blood, You must have been mistaken; for I never either told you so, or sent you any such message. If you have received any Messages to that Effect, they must have come from some other people. But I must be plain with you on this Subject, & tell you that it is never our Custom to purchase our Flesh and Blood of any Nation, whatsoever. But, Brethren, what I have told you, & what I now again tell you, is this, that for any Services you may have done with any of the Nations, on that account, or for any Trouble or Expence they may be at, in bringing them down to me, I will make you & them a suitable Satisfaction."

Here gives 3 Belts & a Bunch of Wampum.

"Brethren:

"As to what you say about making Servants of our prisoners, we are entirely ignorant of it; we do no such thing; but as soon as

we receive them from your hands, we deliver them up to their Parents and relations, if they happen to be present, & if not, we cloath them and take care of them, 'till we can get an Opportunity of sending them to their Friends. They are our own Flesh and Blood, and we use them as tenderly as is in our power; if they have been treated otherwise, it is owing to your not delivering them to me. We have, indeed, at the instance of some of our people, put the prisoners into the Court House 'till we could take their names, & be informed of the places of their abode, and as soon as we were told this, they were all Cloathed, and forthwith sent along with some good persons, to take care of them to their Habitations, therefore do not entertain any Notion that we make Servants or Slaves of them; and when you return home, let all your Nations know that this is truly the case, & that the prisoners are at Liberty to go to their relations as soon as they are delivered up to us; or, if they have no relations, they go into such places where they can best get Employment, in order to maintain themselves.

"Brethren:

"I think it my Duty to tell you that such of our White Men who want to stay with you, are either Deserters from the Army, or have behaved ill amongst us, & were they to stay with you, they would be very apt to be very mischievous, and make ill Blood between us; we desire, therefore, you will not encourage them, but deliver all such up as you have amongst you; and if you place any Dependance upon them, either in peace or War, they will certainly deceive you, as they have done us."

A String.

"Brethren:

"It grieves me that any occasion should have been administered to you to observe to me, in so publick a manner, that there are others besides myself who concerns themselves in Affairs of Government. If it be as you say, I must tell you, Brethren, that it is as great presumption, and an high Infringement of the rights of Government, for any person whatsoever, within this province, except by my special Order or Commission, to send or deliver Messages to you, or to any other nations of Indians, or to treat with you or them on any public matters. I am the only person entrusted by his majesty and the proprietaries with the administration of publick affairs within this Province, and I desire you to take notice, that in order to prevent any thing of this kind for the future, all Messengers I shall send to you shall be furnished with proper Credentials, and my Speeches in writing, under the usual Seal, and if any persons, Indians or others, should take upon them to deliver to you any Messages in my name, unless they bring with them such Credentials as above mentioned, I desire you will pay no regard to them, and acquaint me therewith."

A Belt.

"Brethren:

"You acquaint me that your Grandfathers advised you never to have any Difference with your Brethren the English. It had been well you had constantly taken their advise, but as you say, the evil Spirit got the better of your Understandings, & compel'd you to strike us. You, the other day, by this belt of Wampum, took the Hatchet out of my Head. It is possible, Brethren, that as you struck us, & obliged us to strike you, that you also have been hurt by us. I therefore, by this Belt, take the Hatchet out of your Heads."

A Belt.

"Brethren:

"By this Belt I join with you in collecting all our and your Bones, wheresoever scattered, & in burying them with the Hatchet, and do heap up Earth about the roots of the great Tree in the Oneida Country, where they and the Hatchet are buried, so that the smell thereof may never offend us hereafter."

A Belt.

"Brethren:

"By this Belt you tell me that I am your elder Brother, & whenever you misbehave, you desire me to give you advice. Brethren, my real regard to your Welfare, as we are Brethren, will always induce me to take notice of any thing wrong that I shall observe in your Conduct, and by this Belt I stop your Ears against hearkening to any but myself."

A Belt.

"Brethren:

"I join with you in dispersing the dark Clouds that have gathered together during our differences, & hid the Light from us, that we may see the Sky clearly from Sun rising to Sun setting."

A Belt.

"Brethren:

"By this String of Wampum you tell me that some foulness may have got into my heart, through my Throat, and that with a medicine left you by your Fathers you make it pass quite through my Body to the Ground, & bury it there. As you may have contracted the like foulness, by this String of Wampum I thoroughly purge your Body, & remove every Defilement."

A String.

"Brethren:

"You tell me by this Belt that there are only two Doors, the Mohocks and Senecas, to the Onondagoe Council, one to the Westward, the other to the Eastward; through one of which all the Messages to that Council should properly come. As I understand, by this information, that you expect that this method should always be observed by me, I shall very readily conform to it; and think it a very prudent Establishment of yours for the Dispatch & regular Transaction of Business."

A Belt.

"Brethren:

"By this Belt you take notice that the old Council Fire is almost out, and not good, and that you now put to it the same good dry Wood, such as your Ancestors used, and make it burn as bright as ever. You add further, that your Entertainment has not been as good here as at Easton.

"Brethren:

"I take it kind and friendly in you, that you have kindled up the old Fire; and by this Belt I heap up some good dry wood, and join with you in putting it on the Council Fire, that it may burn as bright as ever. I am very sorry there should be any cause of Complaint given you here with respect to your Accomodations. I took all the pains in my power that there should be none; and I hope now every thing is made agreeable to you with respect to your Accomodation."

A Belt.

"Brethren:

"By this Belt you acquaint me that your Warriors have assisted the Counsellors in making firm the good Work of peace, & that without their Concurrence & assistance the Counsellors can do nothing effectually.

"Brethren:

"It gives me pleasure to hear that your Warriors are united with you in Council, & are become unanimous in establishing the peace which has been so happily brought about. I am sensible of their Importance, and hope that the Harmony which now subsists may long continue; and I shall be ready to serve them, as well as you, as long as their future conduct shall merit it."

A Belt.

"Brethren:

"By this Belt you tell me that the English have a Longing Eye after your Land, and desire that we may not covet any more of your Lands; and say further that we have got all the Land belonging to the Delawares, and shall serve you as we have done them.

"Brethren:

"It is true the Delawares had a large Tract of Land in this Province, bordering on the river Delaware, which the Proprietaries of this province have, from Time to Time, fairly purchased of them, & have honestly paid them for it, which they have acknowledged in your presence.

"Brethren:

"By the same Belt you desire we will not think of making any more purchase of Land, or setling your Lands by Force; for if we do, we shall push you back, and leave you no Land to live or hunt upon, and desire we would confine ourselves to Nixhisaqua, or Mohony, and settle no higher up.

"Brethren:

"The Proprietaries of Pennsylvania have never forced a purchase of Lands from any of their Brethren, the Indians, since they have

owned this Province. It is very well known that the native Indians very readily sold their Lands to the Proprietaries, as soon as he arrived here in their Country, about Eighty Years ago. And about Thirty Years ago the Six Nations, observing greater numbers of White People than those old purchases could accommodate, voluntarily sold to the present Proprietaries some Lands lying further West; and their number still encreasing at Albany, in the year 1754, they sold them more Lands, as far as the Limits of the Province to the West, to be bounded by a Line agreed upon to the Northward.

"And let me remind you of their kindness to you in this respect; for no sooner were they informed that you repented of this last Sale, than they immediately gave Orders to their Agents here, to execute a Release to you for all the Lands over the Allegheny Hills, which was accordingly done at Easton, in the Year 1758, in Publick Council, when a Draught of the part of the Country which the Proprietaries held by the Six Nations' Deed, on this side the Allegheny Hills, was shewn to and approved by the Six Nations, some of whom are now present; and the Draught and Copy of the Proprietary Release were delivered in open Council to them, who returned their hearty thanks to the Proprietaries for their goodness. I hear those Chiefs put the release and Draught into Sir William Johnston's hands, and desired him to keep it for them, together with many other Deeds and Papers at the same time. Now, Brethren, as no time has been fixed for the running of the North Line or Boundary of this last purchase, I desire you to apply to Sir William Johnson, & whenever you and he shall think it necessary to run that Line, I shall always be ready to join with you; and until this be done, agreeable to your Deed, I shall not suffer any of my people to settle beyond it. By your Speech, it appears to me that you think the Line is fixed at Mohony, but by the Deed, which I have not brought with me, and so cannot now produce it, to the best of my Remembrance, the Line begins at a certain mountain by the River Side, about a Mile above the Mouth of Mohony. I must, therefore, desire that none of your people be permitted to disturb any persons within the Limits of that purchase till that Line be Settled."

A Belt.

"Brethren:

"By this String you desire me to give some Guns, telling me that you had already made this request four times.

"Brethren:

"At the conclusion of this Treaty I propose to make you a present, part of which will consist of some good Guns, which I hope will please you.

"Brethren:

"I have heard attentively what you said to your Cousins, & to Teedyuscung in particular. Among other things you say you formerly kindled a Fire at Shamokin for Allumapes, another at Wyo-

ming for the Shawanese, and others at Wighalousin and Diahoga. You say to Teedyuscung that the English cast an Evil Eye on the Lands at Wyoming, & that he is to watch that Fire, & if any White people come there to tell them to go away, for that Land belongs to the Six Nations.

"Brethren:

"Some of you may remember that at the Treaty held last Year at Easton, the Six Nations complained to me that some English had settled upon their Lands, & desired me to assist them in preventing that Settlement, that they might not be wronged out of their Lands. They told me further that they hear the Land had been sold; that the Six Nations never sold it, and that those who sold it stole it from them; that it was Two Tuscaroras, one Oneida, and one Mohawk, who sold it, unknown to the Six Nations. To this request I answered that a number of people of Connecticut Government had settled at a place on the river Delaware called Cushietunck, about fifty miles north of the Blue Hills, being the Settlement complained of, and claimed all the Lands from thence quite up to Wyomink; that I had sent Messengers to them to inform them that those Lands belonged to the Six Nations, and ordered them to remove away, but they refused to do it, assuring me by the Messengers that they had purchased all those Lands of the Six Nations, and under that pretence had a right to hold them.

"As there are now many more of the Six Nations present than were at Easton last Year, I again request you to tell me plainly whether these Strangers are settled there by your consent or not, and why no measures have been taken, if, as some of you told me at Easton, the Lands were not sold by you, to oblige those private Indians who stole the Lands from you, to procure a Surrender of their unjust Deed from the people to whom they have made it, that it might be brought into the Onandagoe Council, & there cancelled or destroyed."

Upon which Thomas King, without consulting any of the other Chiefs, rose up and spoke:

"Brother:

"It is very well known that the Land was sold by the Six Nations; some are here now that sold that Land; it was sold for Two Thousand Dollars, but it was not sold by our Consent in publick Council; it was as it were stolen from us. Some people said that my name was to it, on which I went down immediately to Connecticut to see whether it was or not, and found it was not; I brought a paper back from Connecticut, which I shall shew to the Governor. Had I not gone down to Connecticut, the Lands would have been all settled up to Wyomink as far as Awicka, Twelve miles on this side Chenango."

Thomas King being then asked whether those Lands at Cushietunck were a part of those Lands that were stolen from them? He answered they had nothing to do with them, they belonged to the Delawares.

Then the Governor asked whether the Lands above the Hills, and at Cushietunck in particular, belonged to the Six Nations or to the Delawares? This was asked of all the Six Nations present, and the Governor desired they would all give an answer to it, Thomas King having already said that those Lands belonged to the Delawares. They answered, that they would take it into Council, & give him an answer in writing.

Whereupon the Conference broke up for the present.

At a Conference with the Indians held at Lancaster, on Friday the 27th of August, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, &ca., &ca., as before.

The Governor continuing his Speeches to the Six Nations, spoke as follows:

"Brethren:

"By this String I inform you that a few days since your Cousins, the Western Indians, applied to me about our Trade with them, & told me that we sold our Goods very dear, and desired we would sell them Cheaper, on which I informed them that I had, for their Benefit, opened a large Store of Goods at Pittsburg, & had appointed honest men there to deal justly with them, & made no doubt but they had done so; but that our Land Carriage was so long and made the Expenses so very high, that we lost money by the Trade every Year, and that I knew of no Method by which we could supply them cheaper than by your suffering us to go up the West Branch of the Susquehanna river, with Boats or Canoes, & to build some small Store Houses to put our Goods & skins in, as we went up and came down that river. This Liberty, I told them, I would apply to you for, & I now desire you will be free, and tell me whether you will consent that we should build such Store Houses there, being unwilling to do anything of that kind, without having first obtained your Approbation, or to give you the least reason to think we intend to settle any of the Lands there.

"If you approve of this proposal I will send proper persons to view that river, & to see how far Boats or Canoes can go up it; and I desire the people I shall send upon that service, may be under your protection, & treated as your Friends by any of your people they may happen to meet with in their Journey."

A String.

Then Kinderuntie, the Head Warrior of the Seneca Nation, suddenly rose up and spoke as follows:

"Brother Onas:

"You have laid out two Roads already; one you told me was a good one, the other leads from Potowmack, and now you want

another Road to go by Water; we cannot grant it to you, because our Chief's old men are not here; we are chiefly Warriors here; I am almost as Chief a man as any among them, but we cannot grant it to you, because our Chief men are not present, and the matter has not been consulted in Council; I give you this answer now, because I have the care of those Lands, but if it is agreed upon in our Council, that will be another thing, but at present we deny you entirely.

"Brother:

"You may remember you told me, when you was going to Pittsburgh, you would build a Fort against the French, & you told me you wanted none of our Lands; our Cousins know this, & that you promised to go away as soon as you drove the French away, & yet you stay there & build Houses, and make it stronger and stronger every day; for this reason we entirely deny your request; you shall not have a road this Way."

A Belt.

To which the Governor answered:

"Brother:

"This request did not arise from me; I only mention it in order to oblige your Cousins, the Delawares, who desired a Trade with us, & I did it that they might have their Goods cheaper; but this is an indifferent matter to me, it particularly Concerns your Cousins, the Delawares, & the Western Indians, and since the Six Nations disapprove of our going up and down the West Branch, & building Store Houses there, I shall say nothing further upon this Subject."

To which the Seneca Chief made answer:

"Brother:

"I am glad to hear you, as you say it did not come from you, but that it come from our Cousins; I thought it had been your own proposal; I really quite wonder at my Cousins that they did not tell me this; but since they have swallowed up all their own Land and live to the Westward, I believe they are growing proud; The Lands do belong to me were they live; I conquered it with my Sword; but they are grown proud, and will, I suppose, not own us for their Uncles."

The Governor answered that if he expressed himself in such a manner to them, as if the Application did come from himself, he was mistaken; for that he meant to express himself, that he did it in consequence of the Delawares desiring a Trade with us, and that our Goods might come cheaper to them, & that he knew of no other method of rendering them so, but by means of a Water carriage; and, therefore, he told the Delawares that he would apply to their Uncles, the Six Nations, for Liberty to carry our Goods up the West Branch of Sasquehannah; and he desired that they should not think the Delawares in Fault on this Account, as they did not propose this method to him, & that no Blame should be imputed to them at all in this affair; and that as he found it disagreeable to the Six Nations, he would say nothing further about it.

The Governor then proceeded to speak to the Six Nations, as follows :

" Brethren :

" By this Belt you desired that as there was no War now between you and us, and the Fort at Shamokin stood upon your Warrior's path, the Soldiers might be removed from that Garrison, but that the trading House might still continue, that your Hunters and Warriors might be supplied with Goods, and further desired to know what prices we set upon our Goods.

" Brethren :

" You must be sensible that though an end be happily put to the War between the Indians and us, yet it still continues as warm as ever between us and the French, and, therefore, without His Majesty's express Orders, at whose Instance you acknowledge it was built by your own Consent, I cannot remove the Soldiers from that Garrison ; I shall give particular Directions to the Commanding Officer, that the Soldiers behave very well, both to your Warriors and Hunters, when they come there, and if the Warriors behave well on their parts, and keep sober, there can be no Differences between them

" Brethren :

" You further desire by this Belt, that the Person who has the Care of the Provincial Store, may be removed, and an honest man put in his place.

" Brethren :

" The Agent at Shamokin has, so far as I know, supported the Character of an honest Man, but as it seems he is not agreeable to you, I will consult with the Gentlemen who are joined with me in the Direction of that Store House, when I return to Philadelphia, and give you an answer at a proper Time.

" As to the Trading House it shall continue for your Convenience & Accommodation ; but it is not in my power to fix any certain price upon our Goods. You know we dont make the Goods ourselves ; they are made in England, and the Transporting them over the Seas is dangerous in time of War and very expensive, so that they must come much dearer now than in time of Peace, and their prices change, as the risque and demand for them is greater or less, but I am told, that they are sold to you as cheap as they can be afforded, and cheaper than they can be purchased from private Traders, & care will be taken that they be good in their Quality.

A Belt.

" Brother :

" By this Belt you give it as your Opinion, that John Harris's House, standing on your Warriors' Path, would be a good place for a Trading House, for the Accommodation of your Warriors & Hunters, & desire one may be erected there, and recommend John Harris to be Storekeeper.

"Brethren:

"By the relation you gave me at Easton, in 1758, when you was relating the Causes of the War, it appears that you were of Opinion, one of the principal reasons which made you join the French against us, was owing in a great measure to the ill Treatment your Warriors met with in Virginia, in those places where your War path passes through the settled part of that Colony; and you have now desired me to write to the Governor of Virginia, that as there are settlers on your War path, whereby it is stopped, he would cause it to be opened.

"Now Brethren, I must acquaint You, that all the way from Harris's Ferry to Potowmack, the White people are settled very thick, so that should your Warriors now use that Path, frequent Differences between them and the Inhabitants might probably arise, by means whereof the peace so lately established between us, may be endangered. And I must desire you, for this reason, to use your best Interest with the Warriors in case they are determined to go to War, that they would pursue the old War path from Shamokin, which lies along the Foot of the Allegheny Hills, & which is the nearest Way they can go to their Enemie's Country.

A Belt.

"Brethren:

"As you tell me you intend to apply immediately to Sir William Johnson, to give orders that the Warriors be Supplied with necessaries, through Mr. Croghan at Rays-Town, I must refer you to him, that the same may be done in other of the King's Garrisons along the War path.

"Brethren:

"As John Harris's House is a great deal out of the Way, if more Trading Houses shall thereafter be thought necessary, than there are at present, which we shall consider of, we shall take care to fix them at the most convenient places, for the accommodation of our Indian Brethren, and appoint honest men to take the Direction of the Trade, who will deal justly and kindly with all the Indians.

A Belt.

"Brethern:

"By this Belt you desire a Trading House may be erected on Potowmack, at Daniel Cressip's House, & that he may have the care of it, for the Supply of your Warriors, and that I will send your request to the Governor of Maryland.

"Brethren:

"Your Belt, & all you have said upon it, shall be carefully sent to Governor Sharpe.

"Brethren:

"I shall also, agreeable to your Request, transmit your Belt, & what you have said upon it to the Governor of Virginia, and shall

lose no time in doing it, as your Warriors, you tell me, are now ready to set out."

A String.

"Brethren:

"Some red paint, or Vermillion, is provided for you, and shall be delivered to you.

"Brethren:

"Agreeable to your Request, the persons whom I shall appoint to attend you on your return home, will have Orders to furnish you with provisions, as far as Shamokin. I have received several Complaints of great mischief being done by the Indians in their coming here, and therefore must insist upon it, that you restrain your Young Men from committing any further Violence, or from taking any thing from the Inhabitants, in their return, for this must have a natural Tendency to raise ill Blood in the minds of the people."

A String.

"Brethren:

"The little Boy, Kisheta's Son, is, I hope, on his way here, having sent for him to Philadelphia.

"Brethren:

"Since you spoke to me, I am told Samuel Curtis is informed where his Daughter is, & if he pleases to go and see her, & desires my Passports, he shall be furnished with them."

A String.

"Brethren:

"A Horse shall be delivered to Tokahaion for the use of his two Daughters.

"Brethren:

"A Horse will likewise be given to Robert White, in lieu of the one that died.

"Brethren:

"As to the Application made by your Friends at Wighalousin, with respect to lands they lay claim to beyond the Mountains, I am surprized this should be mentioned to me by Tokahaion, after what passed at Easton in the year 1758, between me and the Six Nations, respecting those Lands. Their Deed to the Proprietaries for those Lands was then produced, and was acknowledged to have been executed by the Six Nations, some of whom were then present. They further added, that they had sold the Land in Question, & were honestly paid for it, and that the Land was theirs, and they would justify it; these were their Expressions. This being the case, and we being unacquainted with any Rights they have, must refer them to you, & desire you will settle this matter among yourselves."

A String.

"Brethren:

"By this Belt you tell me that your Grandfathers advised you to keep fast hold of the Chain of Friendship, & that you, the Mohawks,

Oneidas, Senecas, Onondagoes, Cayugas, & Tuscaroras, have brought about the peace; that you have more Brothers, Friends, and Allies to the Westward, as far as the Sun sets; so many that you cannot tell their numbers, & in behalf of them & yourselves, who now make up fourteen Nations, you make our old Friendship new again, and brighten the Covenant Chain.

"Brethren:

"You know that when the peace was concluded first between us, at Easton, as well as in several Friendly Conferences held afterwards, we both of us took great pains to send the peace Belt among all your Nations, and among your Friends & Allies, to the most distant parts; and we have heard you say with pleasure, & we have ourselves likewise received Messages from several Indian Nations, that they were glad to hear we had made peace together, & joined heartily in it.

"Brethren:

"We thank you for renewing your old Friendship; we very heartily join with you in it, and in brightening the Covenant Chain, and confirm our words with this Belt. When you return home, we desire you will shew this Belt to your own people, and to all the Nations in your Alliance, & let them know how friendly your Brothers have received you; advise them not to hearken to any Stories that bad people may tell them to our Prejudice; desire them to stop their Ears to all such Stories, & assure them that we shall on all Occasions preserve our Friendship with our Indian Brethren & their Allies. And we hope that both you and We shall be so careful as not to give the least occasion of Difference, so long as the World lasts."

A very large peace Belt.

"Brethren:

"As I have now finished all my Business with you, I inform you that as the good people of this Province think you may want some Cloathing and other necessaries, they have, from the regard they have for you, put into my hands a considerable present of Goods, which I shall deliver to such persons as you shall appoint to receive and divide them, and I desire that in the dividing them you will pay particular regard and give an handsome present to such Indians who have been at any Expence and Trouble in bringing down the prisoners."

Thomas King desired that the Governor would stay a little longer, for that they had something further to say to him.

Then the Onondagoe Chief, Deogwanda, rose up, and addressing himself to the Governor, said:

"Brother Onas:

"I mentioned to you the other day my desire that there should be a Store House kept at John Harris's, & that he might have the care of the Store for the Warriors. I desired, at the same time, that the Road might be opened for the Warriors to pass through

the back Settlements to the Southern Indians; you know we are & have always been at War with them, and I shall now begin to strike them. You told me, in answer, that you thought it best that that road should be stopt up, lest any Differences should arise between your people and our Warriors, and desired, if any Warriors did go to War, they would take the old road that led to the Southward, under the mountains; and I now tell you, that as you desired that road should be stopt, it shall be so, and I will take the old road. We don't now desire a Store House should be kept at John Harris's for the Warriors, but that he may be supplied with provisions & other necessaries for our Chiefs & old Men, as they pass to and fro *about* about the good work of peace. We know John Harris, and he is known among all the Indian Nations, & we desire he may be the Man appointed for the care of this matter."

A String.

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At a Conference at Mr. Slough's House, after the Publick Conferences, August 27, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieut^{t} Governor, &ca.

William Logan, Richard Peters, Esquires.

Kinderuntie, in Company with some other Six Nation Indians, having, agreeable to the Governor's desire, brought Peter Weese, one of the Captives mentioned to him in the old Lutheran Church, the Governor took Peter into a private room from the Indians, to confer with him respecting his inclination to stay among the Indians, lest he should be under any fear of speaking his mind freely in their presence, when, after a free Conference, Peter desired he might not now be detained among the White people, but left to his Liberty to return with the Indians, & that on his way he would call on his Brother, who lived near Pittsburgh, and speak with him, and return to the Governor in the Spring; and gave several reasons for his staying with them this Winter. On which the Governor consented to his request, & went with him to the Indians, & then acquainted the Six Nation Chiefs present, that as he had now consented that the Prisoner, Peter Weese, should stay among them, agreeable to his Inclination, and their Desire, he hoped they would be as honourable on their part, in delivering up the other Prisoner, who was a Deserter from the Army, and now in their Camp, and that they would do every thing in their power, on their return to their own Country, to collect every Prisoner among them, & deliver them up faithfully, agreeable to their promises.

Kinderuntie answered:

"That he was well pleased with what the Governor had done; that he would now deliver up the Deserter to him, & that he should

make it his particular Business when he returned home, to make a thorough Search every where in their Towns for all the Prisoners that are among them; that the Governor might rely upon these endeavours, & that as soon as he had done this, he would faithfully deliver them all up, & use his Interest with all others to do the same.

The Deserter was brought soon after, to the Governor, who assured him of receiving him with Kindness, and he would grant him his Protection if he would consent to come among the English. He answered, that as he confided in the Governor's Assurances, he was very willing to return among the English again, and if he would grant him a pass, he would go down into Maryland, to his Parents and relations there.

Kinderuntie then said:

"Brother:

"As both you and we are in a great hurry to have the business of the Treaty finished, that we may all return home, I shall not detain you, and shall only at this time, request you to grant to Totiniontonah a rifle Gun of your own make, & a Saddle for my Friend, this Young Man here."

A String.

The Governor said he would consider of what they said, & return them an answer to-Morrow Morning, and should be glad at that time to see all the Chief Men of the Six Nations, that he might deliver them the presents, & take his Leave of them, as it is now growing late.

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Saturday, the Twenty-eighth of August, 1762.

Early in the Morning, Deogwanda & Kinderuntie, waited on the Governor, at his Lodgings, and told him that they had agreed in Council, not to say any thing further about Lands, but would take what the Governor had said to them on Thursday, respecting the Lands above the Hills, and at Cushietunck, and also, what he said the next day respecting the Lands claimed by the Minisink Indians at Wighalousin, to the Onondagoe Council, to be there considered.

On the same day, in the afternoon, the following Indians waited on the Governor at his Lodgings, vizt:

Kinderuntie, the Seneca Chief; Totiniontonah, a Cayuga; John Sakalamy, and two Seneca Warriors.

PRESENT:

William Logan, } Esquires.
Richard Peters, }

Who complained against Nathaniel Holland, at Fort Augusta, as a Man who always treats the Indians who come there with ill usage,

& bad Language, insomuch that they are very often so provoked as to do him Violence; and as the publick business is now over, they intreat the Governor to remove him, & put a more quiet man in his place. They further say, that as the Governor has acquainted them that the War has occasioned a rise in the price of Goods they hope the Governor will give Orders that they may be paid a higher price for their Skins and Furs in proportion.

The Governor made answer, that he would take this matter into Consideration, & do in it whatever was thought reasonable; and further acquainted them, that the small presents they had requested of him the day before, should be granted them.

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August the Twenty-ninth, Sunday Morning.

The Governor having ordered all the Goods intended as a present to the Six Nations, to be taken to Mr. Hambright's Malt House, and appointed this Morning for those Indians to meet him there to receive them; they accordingly came, when being seated, and the Goods divided into Four different parcels, in proportion to the numbers of the different Tibes, The Governor, in the presence of William Logan, Esqr, Member of the Council, Joseph Fox, Samuel Rhoads, Esquires, of the Assembly, and some Gentlemen from Philadelphia, acquainted them that, agreeable to what he told them on Friday last, he had now provided a handsome present of Goods, and desired they would accept of them, as a mark of the affection and regard of the good people of this Province for them; and having laid aside a parcel of the same, to a considerable value, by themselves, he told the Indians that that particular parcel was to be divided among such Indians as had been at any expence or Trouble in bringing down the Captives.

The Governor then delivered the Goods, amounting to about Eight hundred pounds, and taking his Leave of the Indians, left them to divide them among themselves, as they should think proper.

The End of the Indian Treaty, held with the Indians at Lancaster.

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The 7th day of September, 1762.

MEMORANDUM.

Two Members of the Assembly waited on the Governor, and acquainted him that the House had met pursuant to their Adjournment, on the 14th day of May last to the 6th Instant, & desired to know if his Honour had any Business to lay before them; to which

the Governor answered, that he had nothing to communicate to the House at this time, Upon which the House adjourned to the 20th Instant, having first, by two Members, acquainted the Governor therewith.

At a Council held at Philad^{a} on Tuesday, the 21st September, 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esqr, Lieuten^{t} Governor, &ca.

William Logan, Joseph Turner, } Esquires.
Richard Peters,

The Assembly being met pursuant to their late Adjournment, The Governor laid before the Board a Copy of the Minutes of a Treaty held in August last at Lancaster, with the Northern and Western Indians; And the same being read over and approved, and also the following Message to the Assembly, The Governor sent them by the Secretary to the House:

A Message from the Governor to the Assembly.

" Gentlemen:

"In pursuance of sundry Invitations from this Government to the Indians living to the Westward, on and near the Waters of the Ohio, Deputies from several of those Nations (whom we have not seen since the Commencement of the late War) met me at Lancaster on the ninth of last month, where, in divers Conferences held for that purpose, the peace and Friendship, which formerly subsisted betwixt us, but which of late had unhappily been interrupted, were fully renewed and established.

"A very considerable number also of the Six Nation Indians, from the Northward, and others residing on the river Susquehannah & its Branches, attended at the same time and place, who likewise renewed with us the ancient Chain of Friendship which had so long subsisted between them & his Majesty's Subjects. And I have the pleasure to acquaint you that, as a Testimony of the Sincerity of the professions both of the Western and Northern Indians, sundry of our people who had been taken Captive during the late War, have already been delivered up to me, and solemn Engagements entered into, on the part of the Indians, to restore, in a short time, all such others as still remain in their Towns and Countries.

" For further particulars I refer you to the Copy of the Treaty herewith delivered to you.

"JAMES HAMILTON.

" September 21st, 1762."

MEMORANDUM:

On Saturday, the 25th September, The Assembly broke up without giving the Governor any notice of it.

The Chiefs and Deputies of the Delaware and Shawanese Indians having, at the late Treaty at Lancaster, solemnly engaged to deliver up at Fort Pitt all the English prisoners yet remaining among them, to such persons as should be authorized by this Government to receive them, The Governor this Day Commissionated Colonel James Burd & Mr. Josiah Davenport to transact that Business; and accordingly wrote the following Instructions to Col. Burd, inclosing him the Commission and a Message, with a Belt of Wampum, to be delivered to King Beaver, and other Chiefs of the Western Indians.

The Letter of Instructions, Commission, & Message, follow in these Words, vizt:

A Letter from the Governor to Colo. Burd.

"PHILADELPHIA, 25th September, 1762.

"Sir:

"You will herewith receive a Commission appointing You and Mr. Josiah Davenport, Commissioners to receive all such prisoners as shall be brought to Fort Pitt, in consequence of the Solemn Engagements made by Beaver and the Indians with him, at the late Treaty at Lancaster.

"The Indian Commissioners have given an Order, which accompanies this Letter, to their Agent, Mr. Davenport, for as many Goods as will amount to Five hundred pounds, which are to be subject to your & his disposal, on this Occasion, and you will take care that such Goods as you shall give, be of proper kinds, and what will best suit the Exigencies of the Indians.

"As besides Goods, Money will be wanted to defray all necessary Expences that shall attend the Prisoners, as well as your own Entertainment & Travelling Charges, Five hundred pounds are delivered to the Sheriff to be given to you, for which you are to be accountable, & I can confide in your prudence, that no part of it will be expended in unnecessary Articles.

"I am informed that the Goods belonging to the Western Indians are still lying at Fort Loudon, and that several Horses have been stolen from the Indians; with respect to the Goods, I desire you will hire a Waggon, and, as you pass that Way, see the Goods carefully pack'd & put into it, and an account taken of them, and delivered to the Waggoner, who is to be accountable for them, and see that they go off immediately, otherways they may be detained by bad weather, and this would breed much uneasiness in the Minds of the Indians. I could wish some pains were taken to recover the horses that are really taken from the Indians, and that they cou'd be got to their proper Owners.

"If you find that no prisoners are like to be brought in any reasonable time, you need not Stay above three weeks at Fort Pitt, but leave directions with Mr. Davenport, to receive them, and to do what is necessary, agreeable to the Commission, which empowers either of you to do this Service; and it is my express Orders that after you come away, he shall write to me, and communicate every thing material relating to the Service.

"You are to take notice that no compensation is to be mentioned to the Indians, as made to them for prisoners by way of Ransom, but then, as some Indians may come from very remote parts, and have a good deal more trouble, & be at more expence with the prisoners than others, you will proportion the Rewards accordingly.

"You will herewith receive a Message to the Indians accompanied with a Belt of Wampum, and under the Lesser Seal, which you will have truly explained to the Indians, as it gives an Authenticity to your proceedings with them.

"I should be glad to know, very particularly, what the Indians say at their return, & in what temper you find them, and how many Prisoners are still among them; I therefore desire you will collect all the Intelligence you can relating to them, and their present disposition & System of politicks. I wish you heartily a good Journey. I am, Sir,

"Your most obedient humble Servant,

"JAMES HAMILTON.

"My humble Service to Col^o. Boquet, to whom I would have wrote, if I had not been much out of Order, to request his Countenance and Assistance to you in this Affair."

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"*By the Honourable JAMES HAMILTON, Esquire, Lieutenant Governor and Commander-in-Chief of the Province of Pennsylvania, and Counties of Newcastle, Kent, and Sussex, on Delaware.*

"[*L. S.*] *To James Burd, Esqr., & Josiah Davenport:*

"Gentlemen Greeting:

"WHEREAS, this Government hath at every Treaty held with the several Indian Nations since the Cessation of Hostilities constantly insisted that they should deliver up all the English prisoners that had been taken during the War, but they have hitherto only brought in small Numbers, leaving many behind: *and whereas*, at the late Treaty held at Lancaster with the Western Indians, by their Chiefs & Deputies, I again urged them in the warmest manner to bring in as speedily as might be, the residue of the English Prisoners, & to deliver them to such persons as should be commissionated by me to receive them at Fort Pitt. Now Know Ye, that reposing special Trust & Confidence in your Prudence, Care, & Œconomy, I have nominated & appointed, and do hereby nomi-

nate & appoint, impower & Commissionate you, the s^d^ James Burd and Josiah Davenport, or either of you, to receive all such prisoners as shall be brought to Fort Pitt, or parts adjacent, by the said Indians, or any of them, & to provide for and accommodate as well the said prisoners as the Indians who bring them, with what things shall be by you be judged absolutely necessary; and either to distribute and send the Prisoners to their parents & Friends (if known & within reasonable distance) or to send them to Philad^a^, where proper Care will be taken of them. But you will take Care in the Execution of this Commission, not to exceed the Fund limited & allowed for this purpose. And you are to keep regular and fair accounts of all your Expences & duly to communicate & report to me your proceedings in the premisses.

"Given under my hand & Seal-at-Arms, at Philad^a^, this 25th day of Septem^r^, in the Second Year of his Majesty's reign, & in the Year of our Lord 1762.

"JAMES HAMILTON.

"By His Honour's Command.

"JOSEPH SHIPPEN, Junr, Secretary."

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"*The Honourable JAMES HAMILTON, Esquire, Lieutenant Governor, & Commander-in-Chief of the Province of Pennsylvania, and Counties of Newcastle, Kent, & Sussex, on Delaware:*

"*To King Beaver, and all the Chiefs of the Western Indians, in Alliance with His Majesty, King George:*

"Brethren:

"I hope that agreeable to the Engagements made at the late Treaty at Lancaster, you will, by the time this shall be given you, have collected all our Flesh and Blood that still remain with any of your Tribes, and brought them to Fort Pitt, And I desire you will deliver them to the Bearers, Colonel James Burd, & Mr. Josiah Davenport, who are appointed by me to receive them from your hands, and to take due care of them.

"Brethren:

"Being informed that your Goods were left at Fort Loudon, I immediately ordered a Waggon, to be hired for the carrying of them up to Fort Pitt, and I hope they will be delivered to you there in good Order & without any Loss.

"Brethren:

"In Testimony of my having appointed these Gentlemen my Commissioners to receive from you all our prisoners, and that you may with Confidence say anything to them, as well as give entire Credit to whatever they shall say to you on this Occasion, I have to

these presents put my hand & the Lesser Seal of the said Province, and likewise given them a Belt of Wampum to deliver to you in Confirmation of the same, Dated at Philadelphia, the 25th day of September, 1762.

"JAMES HAMILTON."

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Agreeable to the request of the Six Nation Indians at the late Lancaster Treaty, the Governor wrote the following Letters to the Governors of Maryland and Virginia, vizt:

Letter to his Excellency Horatio Sharpe, Esq'r., Governor of Maryland.

"PHILADELPHIA, 2nd October, 1762.

"Sir:

"The Six Nations having taken a Resolution to continue the War against their old Enemies, the Cherokees, their Chiefs requested of me, at the Treaty lately held with a large Body of them & the Western Indians, that I would open a Store for the accommodation of their Warriors at Harris's Ferry, & that I would forward their request to you to have another opened at Cressap's, on Potowmac.

"Conformable, therefore, to my promise, I send you an extract of what passed between us on this occasion, together with their Belt, and as they will expect an answer from you with all convenient speed, I think if you would be pleased to send it under cover to Sir William Johnson he would take the first opportunity of conveying it to the Six Nations.

"You will observe by the Extract that the Warriors intended to go through the settled part of Cumberland County, & thro' the very Country in which they had committed so many cruel Outrages, but that they altered their design on my representing to them the dangers of taking such a Rout.

"I am with the greatest respect,
"Sir, your most Obedient,
"and most humble Servant,
"JAMES HAMILTON."

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Letter to the Honourable Francis Fauquiere, Esq'r., Governor of Virginia.

"PHILADELPHIA, 2nd October, 1762.

"Sir:

"At a Treaty which I held the last Month with a large body of Western and Northern Indians, the Chiefs of the Six Nations ac-

quainted me that it was determined to continue the War against their old Enemies, the Cherokees; and as they were informed that their War path through Virginia was stopt up by some late Settlements of White people on it, they desired I would forward their request to you to have it opened, & that I would lose no time in doing it, some of their Warriors being then present, and intending to go to the South as soon as the Treaty Should be over.

"They likewise sollicited me to open a Store for their accommodation at Harris's Ferry, and that Governor Sharpe would open another on potowmack, at Cressap's plantation.

"I did by no means approve of this, as this Rout led thro' a very thick settled Country, which had but too severely felt their Cruelties in the late War, & therefore desired they would not go this way, but take their old path that led by Shamokin & the Foot of the Allegheny Hills.

"This they conceded to, tho' with reluctance, & I was glad that they were prevailed upon to drop their new Rout, which must have produced abundance of Mischief.

"Conformable to their request, I have inclosed an Extract of what was said by us both on this Subject, together with their Belt, & as they will expect your answer very soon, I would desire the favour of you to send it under Sir William Johnson's cover, who has many Opportunities of conveying it to the Six Nations.

"I am, with the greatest respect, Sir,
"Your most Obedient and most humble Servant,
"JAMES HAMILTON."

At a Council held at Philadelphia, on Monday the 4th Octr 1762.

PRESENT:

The Honourable JAMES HAMILTON, Esquire, Lieu^{t} Governor.

Joseph Turner,
Richard Peters,
Benjamin Chew,
} Esquires.

The Governor laid before the Board the Returns of the Sheriffs & Coroners for the several Counties following, vizt: Berks, Lancaster, Northampton, Chester, Bucks, New Castle, Sussex, Philadelphia, Kent, York, & Cumberland, and the following Gentlemen were appointed Sheriffs and Coroners, vizt:

Henry Christ,	Sheriff,	Berks Co^{y}.
Adam Whitman,	Coroner,	
John Hay,	Sheriff,	Lancaster do.
Mathias Slough,	Coroner,	
Jno. Jennings,	Sheriff,	N^{o}ampton do.
Arthur Lattimore,	Coroner,	

John Fairlamb,	Sheriff,	Chester	do.
Philip Ford,	Coroner,		
John Gregg,	Sheriff,	Bucks	do.
Wm. Buckman,	Coroner,		
Thomas Dunn,	Sheriff,	New Castle	do.
James Walker,	Coroner,		
Danl. Nunez, Junr.,	Sheriff,	Sussex	do.
Saml. Rowland, Junr.,	Coroner,		
Joseph Redman,	Sheriff,	Philadelphia	do.
Peter Robeson,	Coroner,		
William Rhodes,	Sheriff,	Kent	do.
John Gray,	Coroner,		
Robt. McPherson,	Sheriff,	York	do.
Michl. Swoope,	Coroner,		
Ezekiel Dunning,	Sheriff,	Cumberland	do.
Robert Robb,	Coroner,		

END OF VOL. VIII.

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